

FEDERAL BUREAU OF INVESTIGATION
FOI/PA
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FOI/PA# 1319244-0

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FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

CC-150

To: COMMUNICATIONS SECTION.

AUGUST 18, 1949

URGENT

Transmit the following message to:

SAC, MEMPHIS
BOSTON

77-44206-1
COVES, BERNARD FENSTERWALD, JR., ANTITRUST DIVISION. ADDRESS: CLARENDON AVE.,
NASHVILLE, TENNESSEE. BIRTH DATE: AUGUST TWO, TWENTY ONE, AT NASHVILLE, TENNESSEE,
VERIFY. EDUCATION: DUNCAN PREPARATORY SCHOOL, NASHVILLE, TENNESSEE. ASCERTAIN
IF ADMITTED TO TENNESSEE BAR. REFERENCE: ABE D. WALDAUER, ATTY., COMMERCE TITLE
BLDG., MEMPHIS, TENNESSEE.

BOSTON

HARVARD COLLEGE (GOVT.) CAMBRIDGE, MASSACHUSETTS, FORTY TWO, B.S. MAGNA CUM LAUDE.
HARVARD LAW SCHOOL, LL.B., FORTY SIX TO FORTY NINE, VERIFY. SCHOOL OF ADVANCED
INTERNATIONAL STUDIES, PETERBORO, NEW HAMPSHIRE, STUDENT AT PRESENT. REFERENCE:
LOUIS SOHN, LECTURER AT LAW SCHOOL, HARVARD LAW SCHOOL, CAMBRIDGE, MASSACHUSETTS.

WASHINGTON FIELD

STATES LIEUTENANT U. S. NAVY RESERVE CORPS, MAY FORTY TWO TO MAY FORTY SIX.

REFERENCE: MILTON STARR, ONE NAUGHT TWO NAUGHT CONNECTICUT AVENUE, N.W., WASHINGTON,
D. C.

CHECK CSC, ONI AND HCUA FILES.

INCLUDE IN YOUR REPORT A STATEMENT THAT THE BUREAU ADVISED YOU THAT A SEARCH OF
THE CENTRAL FILES OF THE FBI HAS BEEN MADE AND NO INFORMATION OF A DEROGATORY
NATURE CONCERNING LOYALTY, WHICH COULD BE IDENTIFIED WITH APPLICANT WAS FOUND.

ALL OFFICES

Mr. Tolson _____
Mr. E. A. Tamm _____
Mr. Clegg _____
Mr. Glavin _____
Mr. Ladd _____
Mr. Nichols _____
Mr. Rosen _____
Mr. Tracy _____
Mr. Egan _____
Mr. Gurnea _____
Mr. Harbo _____
Mr. Mohr _____
Mr. Pennington _____
Mr. Quinn Tamm _____
Tele. Room _____
Mr. Nease _____
Miss Gandy _____

SEE SECTION SIX B, MANUAL OF INSTRUCTIONS. SUTEL BY AUGUST TWENTY FIVE.
SUREP AUGUST TWENTY NINE.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED

DATE 8/5/94 BY SP-6 B SLD/mj

FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
HOOVER

CC: WASHINGTON FIELD (COMMUNICATIONS SECTION SPECIAL MESSENGER)

77-44206

JAL/can

SENT VIA

TELETYPE

M

Per

ew

RECEIVED
AUG 18 - 1 27 PM '49
U. S. DEPT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION
U S DEPARTMENT OF JUSTICE
COMMUNICATIONS SECTION

AUG 1 1944
TELETYPE

BOSTON FROM WASH 2 18 240 PM

SAC, U R G E N T

COVES, BERNARD FENSTERWALD, JR., ANTITRUST DIVISION. ADDRESS-- CLARENDON AVE., NASHVILLE, TENNESSEE. BIRTH DATE-- AUGUST TWO, TWENTY ONE, AT NASHVILLE, TENNESSEE, VERIFY. EDUCATION-- DUNCAN PREPARATORY SCHOOL, NASHVILLE, TENNESSEE. ASCERTAIN IF ADMITTED TO TENNESSEE BAR. REFERENCE-- ABE D. WALDAUER, ATTY., COMMERCE TITLE BLDG., MEMPHIS TENNESSEE.

BOSTON.....

HARVARD COLLEGE /GOVT./ CAMBRIDGE, MASSACHUSETTS, FORTY TWO, B. S. MAGNA CUM LAUDE. HARVARD LAW SCHOOL, LL.B., FORTY SIX TO FORTY NINE, VERIFY. SCHOOL OF ADVANCED INTERNATIONAL STUDIES, PETERBORO, NEW HAMPSHIRE, STUDENT AT PRESENT. REFERENCE-- LOUIS SOHN, LCTURER AT LAW SCHOOL, HARVARD LAW SCHOOL, CAMBRIDGE, MASSACHUSETTS.

WASHINGTON FIELD.....

STATES LIEUTENANT U. S. NAVY RESERVE CORPS, MAY FORTY TWO TO MAY FORTY SIX. REFERENCE-- MILTON STARR, ONE NAUGHT TWO NAUGHT CONNECTICUT

END PAGE ONE

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 8/5/94 BY 5668 SLD/dmj

PAGE TWO

AVENUE, N.W., WASHINGTON, D. C.

MAKE AGENCY CHECKS.

ALL OFFICES.....

SEE SECTION SIX B, MANUAL OF INSTRUCTIONS. SUTEL BY AUGUST TWENTY FIVE. SUREP AUGUST TWENTY NINE.

HOOVER

ME AND WFO ADVISED

ACK AND HOLD PLS

6WA R 2 BS

U. S. DEPARTMENT OF JUSTICE
COMMUNICATIONS SECTION

8-18-49
K
RECEIVED

FBI WASHINGTON DC 8-18-49 2-13 PM FEJ

SAC, MEMPHIS URGENT

COVES, BERNARD FENSTERWALD, JR., ANTITRUST DIVISION. ADDRESS--
CLARENDON AVE., NASHVILLE, TENNESSEE. BIRTH DATE-- AUGUST TWO,
TWENTY ONE, AT NASHVILLE, TENNESSEE, VERIFY. EDUCATION-- DUNCAN
PREPARATORY SCHOOL, NASHVILLE, TENNESSEE. ASCERTAIN IF ADMITTEED
TO TENNESSEE BAR. REFERENCE-- ABE D. WALDAUER, ATTY., COMMEC XXX
COMMERCE TITLE BLDG., MEMPHIS, TENNESSEE.

BOSTON.....

HARVARD COLLEGE /GOVT./ CAMBRIDGE, MASSACHUSETTS FORTY TWO, B. S.
MAGNA CUM LAUDE. HARVARD LAW SCHOOL, LL. B. , FORTY SIX TO FORTY NINE,
VERIFY. SCHOOL OF ADVANCED INTERNATIONAL STUDIES, PETERBORO,
NEW HAMPSHIRE, STUDENT AT PRESENT. REFERENCE-- LOUIS SOHN, LECTURER
AT LAW SCHOOL, HARVARD LAW SCHOOL, CAMBRIDGE, MASSACHUSETTS.

WASHINGTON FIELD.....

STATES LIEUTENANT U. S. NAVY RESERVE CORPS, MAY FORTY TWO TO MAY
FORTY SIX.

REFERENCE-- MILTON STARR, ONE NAUGHT TWO NAUGHT CONNECTICUT AVENUE,
N. W. WASHINGTON, D. C.

MAKE AGENCY CHECKS.

END PAGE ONE

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HEREIN IS UNCLASSIFIED

DATE 8/5/94 BY 5668 SLD/dmg
CA#94-0655 HMG

PAGE TWO

ALL OFFICES.....

SEE SECTION SIX B, MANUAL OF INSTRUCTIONS. SUTEL BY AUGUST TWENTY FIVE. SUREP AUGUST TWENTY NINE.

HOOVER

CORR LINE FOUR LAST WORD SHUD BE "ADMITTED"

LINE 8 FIFTH WORD SHUD BE "MASSACHUSETTS,"

ES AND WFO ADVISED

END

ACK PLS

OK FBI ME AG

Subj: Bernard FenstermakerAddress: MassBirthdate: 8-2-51-Jan SUPV: May

Misc: _____

R# 4643Date 8/16

Searcher

Initial _____

FILE NUMBERSERIALSALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIEDDATE 8/5/99 BY 5668 SD/dmj
CA# 94-0655 HHG

Department of Justice

Washington

MEMORANDUM FOR MR. HOOVER, DIRECTOR, FEDERAL BUREAU OF INVESTIGATION

48/16 Please obtain a report relative to the character, reputation and qualifications of the individual named below who is under consideration for appointment to the position indicated below with the Department of Justice:

me NAME IN FULL FENSTERWALD, BERNARD Jr., Clarendon Ave., Nashville, Tennessee
(Female Applicants - Maiden Name)

POSITION UNDER CONSIDERATION Legal position -- Antitrust Division

LEGAL RESIDENCE Tennessee

MA DATE OF BIRTH Aug. 2, 1921 Verify PLACE OF BIRTH Nashville, Tennessee

If not born in the United States and not naturalized, date and port of entry of applicant into the United States

If naturalized, date and place of naturalization

MARITAL STATUS

me EDUCATION: a. High school or equivalent Duncan Preparatory School, Nashville, Tennessee

BS Harvard College (Govt.) Cambridge, Mass. 1942; B.S. Magna cum laude

b. College or Technical (1938-1942)

Harvard Law School Verify " 1949; LL.B.; 1946-1949.

c. Miscellaneous

ALL FBI INFORMATION CONTAINED

HEREIN IS UNCLASSIFIED

DATE 8/5/94 BY 5668 SD/dmj

Names of clubs, societies and similar organizations of which applicant is a member CA#94-0655 HNG

me Association of Admission to Tennessee Bar

Date of admission to the Bar Name of State in which admitted:

BUSINESS EXPERIENCE:

Name and Address of Employer

Position

Period of Employment

BS School of Advanced International Studies, Peterboro, New Hampshire Student at present.

1080 Lieutenant United States Navy Reserve Corps 5-1942--5-1946

1 year with Naval Communications, Washington, D. C.

2 years in S.W. Pacific as Asst. Comm. Officer

and Division Officer aboard the APA 15

(Engaged in amphibious warfare)

1/2 year in Washington, Bureau of Naval Personnel, Administrative duties

(Serial No. 142274)

Course in rudiments of Naval Law, Boston, Mass.

Jan. 1948

Arrests or law suits in which applicant has been involved

The applicant states none.

List names of any relatives in the government service with degree of relationship and where employed

The applicant states none.

REFERENCES: (Preferably five)

Name

Residence Address

Business Address

me Abe D. Waldauer, Atty.

Commerce Title Bldg., Memphis, Tenn.

WFO Milton Starr, Businessman

1020 Conn. Ave., N.W., Washington, D.C.

BS Louis Sohn, Lecturer at Law School

Harvard Law School, Cambridge, Mass.

QUICK TELETYPE XX

REGULAR REPORT

Peyton Ford
The Assistant to the Attorney General

FEDERAL BUREAU OF INVESTIGATION

Form No. 1

THIS CASE ORIGINATED AT **BUREAU**

FILE NO. **77-3951 MEM**

REPORT MADE AT BOSTON, MASS.	DATE WHEN MADE 8/26/49	PERIOD FOR WHICH MADE 8/23, 24/49	REPORT MADE BY EARL L. FAUVER
TITLE BERNARD FENSTERWALD, JR.			CHARACTER OF CASE DEPARTMENTAL APPLICANT ANTI-TRUST DIVISION

SYNOPSIS OF FACTS: Applicant attended Harvard College, Cambridge, Mass., 1938-1942, receiving B.S. degree in Government; Harvard Law School, October, 1946 to May, 1949, receiving LL.B. degree. Better-than-average student; no disciplinary action against him. References ABE D. WALDAUER and MILTON J. STARR recommend applicant as loyal American of excellent reputation and character. Reference LOUIS SOHN had no derogatory information concerning applicant and no reason to question his loyalty. Neighborhood, Cambridge, Mass., favorable. Credit and criminal negative.

AGENCY photo - ASD
REQ. REC'D 8-22-57
REP'T FORW. 8-26-57
BY Inca - Jui -

- R U C -

REFERENCE: Memphis teletype dated 8/19/49 to Director, Washington Field and Boston.

DETAILS: Education

The records of the Registrar's Office, Harvard College, Cambridge, Mass., reflected that the applicant attended Harvard College from 1938 to 1942, and received a B.S. degree in Government in 1942. Applicant's birth date was verified as August 2, 1921, at Nashville, Tennessee. The records indicated that applicant was a better-than-average student and that no disciplinary action was taken against him while he attended the college.

Mrs. G. M. LADD, Registrar's Office, Harvard Law School, Cambridge, Mass., furnished records which indicated that applicant attended law school from October, 1946, to May, 1949, receiving an LL.B. degree. Applicant in his first

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 8/5/94 BY 566850/1

APPROVED AND FORWARDED: <i>Ed [Signature]</i> SPECIAL AGENT IN CHARGE	DO NOT WRITE IN THESE SPACES	
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year at the law school ranked 67 in a class of 365; in his second year, he was 68 in a class of 372; and in his last year was 69 in a class of 395. On May 25, 1949, he received the Addison-Brown Award, a scholastic honor.

Professor TOEPFER, Assistant Dean of the Faculty, Harvard Law School, stated he remembers applicant as a student and considered him to be a very nice boy, but he advised that he knew nothing concerning applicant's loyalty. Professor TOEPFER advised he knew applicant only from the few times applicant was in and out of his office but he could see no reason why applicant should not be recommended for a position with the Government. Professor TOEPFER advised that applicant was a member of the King's Bench, a social club and a member of the Brocker Law Club.

References

Professor LOUIS SOHN, lecturer at Harvard Law School, Harvard University, Cambridge, Mass., advised that he has known applicant since January of this year and that applicant was in one of his classes which contained only about twenty students. As a result of this, he came to know applicant fairly well. Professor SOHN advised that applicant was a very good student and a pleasant individual who appeared to be well liked by his fellow students. Professor SOHN stated that he had never heard any derogatory statements concerning the applicant and he had no reason to question the applicant's loyalty to this country. Professor SOHN stated that he knew very little concerning applicant's outside activities.

ABE D. WALDAUER, attorney and United States Collector of Customs, Memphis, Tennessee, advised that he has known applicant and his family since 1924 in a social way. He said that applicant had a brilliant war record and was of unquestioned loyalty. Applicant has recently graduated from Harvard Law School and passed the Massachusetts Bar Examination, and WALDAUER said that he assisted him in his preparation for that examination and found him to be a brilliant law student. According to WALDAUER, applicant is of excellent reputation and character and he was glad to recommend him for instant position. Mr. WALDAUER was interviewed at West Yarmouth, Mass.

MILTON J. STARR, formerly associated with the Office of War Information and the War Assets Administration, and now an owner of a chain of moving picture houses in Washington, D. C., was interviewed at West Yarmouth, Mass., and advised that he has known applicant since applicant was a "little boy." He said that applicant always had a desire to do foreign

BOS File 77-3951

service work and was advised that it would be well for him to take a course in law and pass the Bar for a foundation for any diplomatic service or any other good Government position; therefore, he decided to complete his law course at Harvard University.

STARR added that applicant has a splendid reputation, is unusually intelligent and very ambitious. He feels that applicant "will really go places in Government Service." He felt that there was no question as to applicant's loyalty and pointed out his brilliant war record and his willingness to make Government Service his life's work.

Neighborhood

Miss GOLDIE CRAWFORD, landlady, 7 Irving Terrace, Cambridge, Mass., where applicant is presently residing, advised that she has known applicant and his wife for about a year. Miss CRAWFORD recommended applicant in every way. She considered him to be one hundred per cent loyal to this country and stated there was not enough she could say in his favor. Miss CRAWFORD advised that applicant and his wife are the finest tenants she had ever had in her home and that she could recommend him highly for any position of trust. ✓

Credit and Criminal

Miss MILDRED KING of the Credit Bureau of Greater Boston, Inc., 52 Chauncy Street, Boston, Mass., advised that a search of her records revealed no credit record for the applicant.

Miss CATHERINE CAROLAN of the Massachusetts Board of Probation, Boston, Mass., a central repository for all criminal arrest records in the state of Massachusetts, advised that a review of her files revealed no criminal record for applicant.

REFERRED UPON COMPLETION TO THE OFFICE OF ORIGIN

ADMINISTRATIVE DETAILS

Investigation at West Yarmouth, Massachusetts, was conducted by Special Agent WILLIAN H. CARPENTER.

Credit and criminal checks at Boston were made by Special Employee LUTHER MUNSON.

On 8/23/49, a teletype was sent to the Washington Field Office, advising that all records of the ~~School of~~ Advanced International Studies, Peterboro, New Hampshire, had been forwarded to the school's main office on Florida Ave., N.W., Washington, D. C.

FEDERAL BUREAU OF INVESTIGATION

Form No. 1

THIS CASE ORIGINATED AT **BUREAU**

FILE NO. **77-29779**

REPORT MADE AT WASHINGTON, D. C.	DATE WHEN MADE 8/31/49	PERIOD FOR WHICH MADE 8/24,25/49	REPORT MADE BY WILLIAM P. KOSTERMAN WPK:RML
TITLE C BERNARD FENSTERWALD, JR.			CHARACTER OF CASE DEPARTMENTAL APPLICANT ANTI-TRUST DIVISION

SYNOPSIS OF FACTS:

Applicant appointed Ensign, United States Naval Reserve, April 3, 1942; reported for active duty, September 18, 1942; detached from duty, March 1, 1946; released from active duty, May 1, 1946. Received ten-day suspension from active duty when group of officers and men under his charge violated orders concerning their conduct while sight-seeing in Philippine Islands. Applicant attended School for Advanced International Studies, Washington, D. C., January 1946 - June 1946; Peterboro, New Hampshire, summer sessions of 1947 and 1949. Completed curriculum for Master of Arts Degree in International Affairs. Former landlord deceased. Former acquaintance at 1365 Geranium Street Northwest, recalls applicant favorably. Office of Naval Intelligence, House Committee on Un-American Activities, Civil Service Commission, criminal, credit, Federal Bureau of Investigation central files regarding loyalty, negative concerning applicant.

- RUC -

AGENCY Photo. OSD
REQ. REC'D 8-22-54
REP'T FORW. 8-26-57
BY Mca. Jm.

REFERENCES:

Bureau File 77-44206.
Bureau Teletype dated August 18, 1949.
Boston Teletype dated August 23, 1949.

*cc cde
lme 3/31/50
mch*

ALL INFORMATION CONTAINED

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DATE 8/5/94 BY 5668 Sdkmij

APPROVED AND FORWARDED: <i>[Signature]</i> SPECIAL AGENT IN CHARGE	DO NOT WRITE IN THESE SPACES	
COPIES OF THIS REPORT 3 - Bureau 1 - Washington Field	77-44206-3	EX-19

DETAILS: AT WASHINGTON, D. C.

NAVY RECORD

The applicant's Naval Officer Record reflected that BERNARD FENSTERWALD, JR., born August 2, 1921, at Nashville, Tennessee, had been appointed an Ensign, United States Naval Reserve, on April 3, 1942, with Serial Number 142274; he reported for active duty on September 18, 1942; he was detached from duty on March 1, 1946, at Washington, D. C., and ordered home; on May 1, 1946, he was released from active duty as a Lieutenant, United States Naval Reserve. The record reflected efficiency ratings for the applicant ranging from "average" through "excellent".

This file contained a letter from the applicant's commanding officer directed to the applicant dated April 6, 1945, which stated in part:

"You were appointed officer in charge of six groups of officers and men to embark on the USS Cleveland for a sight-seeing trip to Manila, Philippine Islands. One of these groups was under your direct supervision. In addition, detailed instructions concerning the conduct of the personnel in the groups were furnished you prior to departure from this ship, and supplementary instructions were given you on the USS Cleveland. Notwithstanding the information you received, certain members of the sight-seeing party flagrantly violated the orders governing their conduct to the extent that it was necessary for the commanding officer, USS Cleveland, to inform me officially of the incidents which do not reflect creditably on this ship. To aggravate the situation, all of the offenders were from the group of which you were in charge. I consider your inattention and failure to set an example of seamanlike performance of duty, inexcusable. Because of the above, you are hereby suspended from duty for a period of ten days. During this period of suspension, you will confine yourself to the limits of this ship, exclusive of the quarter-deck and bridges."

The applicant's file contained no further derogatory information.

EDUCATION

Miss ROSEMARY WOODS, Clerk, School of Advanced International Studies, 1906 Florida Avenue, Northwest, advised by reference to the files of that institution, that BERNARD FENSTERWALD, JR. attended the spring session of that school at Washington, D. C., from January to June of 1946, and that he subsequently attended the summer sessions of 1947 and 1949 at Peterboro, New Hampshire. She stated that the applicant had completed the curriculum and had passed the final examination on August 18, 1949, and that he will receive a Master of Arts Degree in International Affairs at the next graduation ceremony of the school in June of 1950. She stated that all of the applicant's former teachers are now on vacation and will not be available for interview until October 1, 1949. Miss WOODS further advised that the record reflected the applicant's address as 1365 Geranium Street Northwest.

1365 GERANIUM STREET NORTHWEST

Mrs. CHARLES BURNHAM, 1365 Geranium Street Northwest, advised that her husband, who is now deceased, formerly had rented the house at that address to a group of four or five young men in 1946. She stated that the applicant's name was not familiar to her, but that her husband had probably known him. She said that the only young man of this group with whom she was acquainted was JOSEPH F. HUBER, JR., whom she said is presently living in Maryland. Mrs. BURNHAM added that this group of young men had always proven to be good tenants, and that her husband had never received any complaints concerning the conduct of any of these boys who had formerly rented the house.

Mr. JOSEPH F. HUBER, JR., Hillmeade Road, Bradley Hills, Maryland, advised that he had formerly been one of a group of young men to rent the house at 1365 Geranium Street Northwest, and he recalled the applicant as having resided there, approximately from January to June 1946. He added that he had only resided there for about two months while the applicant had been there, and that he recalled Mr. FENSTERWALD as a young man of excellent character and reputation. He said that during his limited contact with the applicant, he had never had reason to doubt Mr. FENSTERWALD's loyalty to the government in any way. Mr. HUBER recommended the applicant for responsible employment with the government. Mr. HUBER added that he did not know the present location of the other young men who formerly resided at 1365 Geranium Street Northwest. ✓

WFO - 77-29779

MISCELLANEOUS

The files of the following agencies were searched regarding the applicant with negative results: Office of Naval Intelligence, House Committee on Un-American Activities, ~~confidential~~ investigative files of the Civil Service Commission, criminal records of the Metropolitan Police Department, credit records of the Credit Bureau and Stone's Mercantile Agency.

The Bureau advised that a search of the central files of the Federal Bureau of Investigation has been made and no information of a derogatory nature concerning loyalty, which could be identified with the applicant, was found.

- REFERRED UPON COMPLETION TO THE OFFICE OF ORIGIN -

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

SEPTEMBER 7, 1949 ~~URGENT~~

To: COMMUNICATIONS SECTION.

SAC BOSTON

Transmit the following message to:

BERNARD FENSTERWALD, JR., DAPLI. URFILE SEVENTY-SEVEN DASH THREE NINE
FIVE ONE. INFO FURNISHED BY REFERENCE WALDAUER INDICATES ADMITTED
MASS. BAR. VERIFY AND SUREP IMMEDIATELY.

HOOVER

CAM:SMY
77-44206

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DATE 8/5/94 BY 5668 SLD/dmj

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FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
COMMUNICATIONS SECTION

SEP 7 1949

TELETYPE

SENT VIA

4-12 P M

Per

Mr. Tolson _____
Mr. E. A. Tamm _____
Mr. Clegg _____
Mr. Coffey _____
Mr. Glavin _____
Mr. Ladd _____
Mr. Nichols _____
Mr. Rosen _____
Mr. Tracy _____
Mr. Carson _____
Mr. Egan _____
Mr. Hendon _____
Mr. Pennington _____
Mr. Quinn Tamm _____
Mr. Nease _____
Miss Gandy _____

271949

Handwritten signatures and initials, including "Pan", "Fleming", and "Clegg".

FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
COMMUNICATIONS SECTION

SEP 7 1949

TELETYPE

BOSTON 2 FROM WASH DC 7 402PM

SAC U R G E N T

BERNARD FENSTERWALD, JR., DAPLI. URFILE SEVENTY-SEVN DASH THREE NINE FIVE ONE. INFO FURNISHED BY REFERENCE WALDAUER INDICATES ADMITED MASS. BAR. VERIFY AND SUREP MXXX IMMEDIATELY.

HOOVER

LONE ONE WORD SIX SHLD BE "SEVENTY-SEVEN"

HOLD

ALL INFORMATION CONTAINED

HEREIN IS UNCLASSIFIED

DATE 8/5/94 BY 5668 SD/dmj

nm3-1

WASHINGTON FIELD FROM BOSTON 8-23-49 10-30 AM EDT MEM

SAC, WASHINGTON FIELD URGENT

BERNARD FENSTERWALD, JR., DAPLI, ANTITRUST DIVISION. REBUTEL AUGUST EIGHTEEN. ALL RECORDS SCHOOL OF ADVANCED INTERNATIONAL STUDIES, PETERBORO, NEW HAMPSHIRE, FORWARDED TO THAT SCHOOL'S MAIN OFFICE, FLORIDA ST., N.W., WASHINGTON, D. C., AUGUST NINETEEN, NINETEEN FORTYNINE. HANDLE.

SOUCY

77-3981
DFO:MEM
cc Bureau ✓

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 8/5/94 BY 5668 SD/dnj

77-44206-54
NOT RECORDED
SEP 20 1949

56 SEP 26 1949
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cc: Mr. Rosen
Mr. Glavin
Mr. Harbo

Mr. Peyton Ford
The Assistant to the Attorney General

August 30, 1949

Director, FBI

BERNARD FENSTERWALD, JR.
DEPARTMENTAL APPLICANT
Antitrust Division

77-44206-5
With reference to your memorandum dated August 16, 1949, requesting that an investigation be conducted concerning Bernard Fensterwald, Jr., the following information has been received from the Memphis Division of this Bureau:

"Neighbors and associates of Mr. Fensterwald advise that he is of excellent reputation and character; a loyal citizen, capable, and trustworthy. His mother is Mrs. Blanche Fensterwald, and he has a sister, Mrs. Robert Daniel Eisenstein, nee Ann Fensterwald. This sister formerly resided, and his mother now resides on Clarendon Avenue, Belle Meade, Nashville, Tennessee. Confidential Informant T-1, of known reliability, advised that the names of Mrs. B. Fensterwald and Ann Fensterwald, both of Belle Meade Park, Nashville, Tenn., appear on a list of delegates and members to the Southern Conference for Human Welfare, the third meeting, which was held on April 19 through 21, 1942, at Nashville, Tennessee. To date there has not been received any evidence to conclusively establish that his mother and sister are identical with the Mrs. B. Fensterwald and Ann Fensterwald listed as members of the Southern Conference for Human Welfare. All persons contacted who know his mother and sister state they are entirely loyal and very patriotic. Both are active in civic and charitable work.

Mr. Fensterwald's credit record is excellent and he has no criminal record. His birth was verified as August 2, 1921 at Nashville, Tennessee. His school records reflect excellent grades. However, he failed the Tennessee Bar examination taken last June and has not been admitted to the Bar. There is no derogatory information concerning character or loyalty in Bar Association files. Reference Abe D. Waldauer of Memphis, Tennessee, who is related to him is not available for interview."

The following information has also been received from the Boston Division of this Bureau:

"Mr. Fensterwald, Jr. graduated from Harvard College, Cambridge, Massachusetts in 1942 with BS Degree Magna Cum Laude and from the Harvard Law School with an LL. B. Degree in 1949. His record while at school was favorable. Reference Louis Sohn, lecturer at Harvard Law School was interviewed and recommended him favorably. References, Abe D. Waldauer and Milton J. Starr, both recommend him as loyal American of excellent reputation and character and consider him unusually intelligent and ambitious."

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 8/5/91 BY 5668 SLD/dry

Mr. Tolson
Mr. Clegg
Mr. Glavin
Mr. Ladd
Mr. Nichols
Mr. Rosen
Mr. Tracy
Mr. Egan
Mr. Gurnea
Mr. Harbo
Mr. Mohr
Mr. Quinn
Tele. Room
Mr. Nease
Miss Gandy

77-44206
JAL:KMC

Mr. Peyton Ford
The Assistant to the Attorney General

The following information has also been received from the Washington Field Division of this Bureau:

"Mr. Fensterwald attended the School of Advanced International Studies, from January to June of 1946; also the summer sessions of 1947 and 1949. He completed the curriculum for an MA Degree in International Affairs. He was appointed an Ensign, United States Naval Reserve, on April 3, 1942; reported for active duty on September 18, 1942 and was detached from active duty on March 1, 1946 in the District of Columbia and ordered home. He was released from active duty on May 1, 1946. His efficiency ratings were given as average through excellent. He received a ten day suspension from duty on April 6, 1945, when a group of officers and men under his charge violated orders governing their conduct while sight seeing in the Philippine Islands. The Office of Naval Intelligence Records contain no derogatory information concerning him nor do the records of the Civil Service Commission, nor the House Committee on Un-American Activities. He has no criminal or credit record in Washington, D.C."

The investigation has been completed and you will be furnished with copies of detailed reports as they are received.

Mr. Tolson _____
Mr. Clegg _____
Mr. Glavin _____
Mr. Ladd _____
Mr. Nichols _____
Mr. Rosen _____
Mr. Tracy _____
Mr. Egan _____
Mr. Gurnea _____
Mr. Harbo _____
Mr. Mohr _____
Mr. Pennington _____
Mr. Quinn Tamm _____
Tele. Room _____
Mr. Nease _____
Miss Gandy _____

U. S. DEPARTMENT OF JUSTICE
COMMUNICATIONS SECTION

446 220-1
R
TELETYPE

Mr. Tolson	.....
Mr. Ladd	.....
Mr. Clegg	.....
Mr. Glavin	.....
Mr. Nichols	.....
Mr. Rosen	.....
Mr. Tracy	.....
Mr. Harbo	.....
Mr. Mohr	.....
Tele. Room	.....
Mr. Nease	.....
Miss Gandy	.....

FBI MEMPHIS

8-25-49

4-25 PM

PB

DIRECTOR, FBI

URGENT

BERNARD FENSTERWALD, JR., DAPLI, ANTITRUST DIVISION.]

NEIGHBORS AND ASSOCIATES OF ^{MAN F}APPLICANT [AND HIS FAMILY] ADVISE
THAT HE IS OF EXCELLENT REPUTATION ^{AND} CHARACTER; A LOYAL CITI-
ZEN, CAPABLE, AND TRUSTWORTHY. ^{his}APPLICANTS MOTHER IS MRS.

BLANCHE FENSTERWALD, AND HE HAS A SISTER, MRS. ROBERT DANIEL
EISENSTEIN, NEE ANN FENSTERWALD. ^{his}(SISTER FORMERLY RESIDED,

AND ^{his}MOTHER NOW RESIDES ON CLARENDON AVENUE, BELLE MEADE,

NASHVILLE, TENN. CONFIDENTIAL INFORMANT T-ONE, OF KNOWN

RELIABILITY, ADVISED THAT THE NAMES OF MRS. B. FENSTERWALD

AND ANN FENSTERWALD, BOTH OF BELLE MEADE PARK, NASHVILLE,

TENN., APPEAR ON A LIST OF DELEGATES AND MEMBERS ⁷⁵OF THE

SOUTHERN CONFERENCE FOR HUMAN WELFARE, ⁷⁵AT THE THIRD MEETING, ^{6/20/49}held on

APRIL NINETEEN THROUGH TWENTYONE, NINETEEN FORTYTWO, AT

NASHVILLE, TENN. TO DATE THERE HAS ^{NOT}BEEN RECEIVED ^{11/27}NO EVI-

DENCE TO CONCLUSIVELY ESTABLISH THAT ^{his}APPLICANTS MOTHER

AND SISTER ARE IDENTICAL WITH THE MRS. B. FENSTERWALD AND

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED

8/5/94

5668SLD/knj

RECORDED

INDEXED - 4

77-44206-5

memo sent to JAG
8/20/49
942-

PAGE TWO

ANN FENSTERWALD LISTED ^{AS mentioned at} [IN THE ABOVE CONNECTION WITH] THE
SOUTHERN CONFERENCE FOR HUMAN WELFARE. ALL PERSONS CON-
TACTED WHO KNOW ¹⁹⁴⁵ APPLICANTS MOTHER AND SISTER STATE THEY
ARE ENTIRELY LOYAL AND VERY PATRIOTIC. BOTH ARE ACTIVE
IN CIVIC AND CHARITABLE WORK. ^{IT} APPLICANTS CREDIT RECORD
IS EXCELLENT, ^{And he has no} CRIMINAL RECORD ^{His} NEGATIVE. ^{was} BIRTH/VERIFIED
AS AUGUST TWO, ¹⁹ TWENTYONE, ^{AT} NASHVILLE, TENN. ^{His} SCHOOL RECORDS
REFLECT EXCELLENT GRADES. ^{How ever he} ~~APPLICANT FAILED~~ TENN. BAR
EXAMINATION TAKEN ^{last} JUNE ^{has been} ~~LAST~~ AND ^{the} NOT ADMITTED TO BAR. ^{the} NO
DEROGATORY INFORMATION ^{concerning this} ABOUT CHARACTER OR LOYALTY ~~OF AP-~~
PLICANT ^{The Ass'n} IN BAR/FILES. REFERENCE ABE D. WALDAUER, ^{of} MEMPHIS, ⁶⁷ TENN.
^{who is} RELATED TO ^{from} APPLICANT ^{is} NOT AVAILABLE FOR INTERVIEW. [LEAD
SET. APPLICANT MARRIED TO BETTY VOSBERRY OF WASHINGTON,
D.C., UNKNOWN DATE. REPORT FOLLOWS.]

HOSTETTER

END

632PM OK FBI WASH DC CCW

V

AUGUST 25, 1949

Mr. Tolson _____
Mr. Ladd _____
Mr. Clegg _____
Mr. Glavin _____
Mr. Nichols _____
Mr. Rosen _____
Mr. Tracy _____
Mr. Harbo _____
Mr. _____
Tele. Room _____
Mr. Nease _____
Miss Gandy _____

FBI WASH FIELD

8-25-49

8 PM

DIRECTOR

BERNARD FENSTERWALD, JR., ANTI TRUST DIVISION & REBUFILE SEVENTYSEVEN

DASH FOUR FOUR TWO ZERO SIX. REBUTEL AUGUST EIGHTEEN LAST. ^{MEK} ⁴⁶⁴³ APPLICANT

^{the} ATTENDED ^{the} SCHOOL OF ADVANCED INTERNATIONAL STUDIES, ¹⁹⁴⁶ D.C., JANUARY TO JUNE ^{of 19} 19

FORTYSIX; ALSO SUMMER SESSIONS, ^{of 19} FORTYSEVEN AND FORTYNINE, ^{the} PETERBORO, NH. ^{he was} ^{AN}

COMPLETED CURRICULUM FOR MA DEGREE IN INTERNATIONAL AFFAIRS. / APPOINTED ^{AN}

ENSI GN, ^{AN} USNR, ¹⁹ APRIL THREE, ^{for} FORTYTWO; REPORTED ⁱⁿ ACTIVE DUTY, ^{the} SEPTEMBER EIGHTEEN,

^{And was} 19 FORTYTWO, DETACHED FROM ACTIVE DUTY, ^{AN} MARCH ONE, ^{the} FORTYSIX ^{in the} AT DC AND ORDERED

HOME; ^{he was} RELEASED FROM ACTIVE DUTY, ^{AN} MAY ONE, FORTYSIX. / EFFICIENCY RATINGS ^{was a} ^{the} ^{average}

AVERAGE THROUGH EXCELLENT. / RECEIVED TEN DAY SUSPENSION FROM DUTY ON

APRIL SIX, ^{the} FORTYFIVE, WHEN ^{the} GROUP OF OFFICERS AND MEN UNDER HIS CHARGE

VIOLATED ORDERS GOVERNING THEIR CONDUCT WHILE SIGHT SEEING IN ^{the} PHILIPPINE

ISLANDS. ^{the} FORMER ACQUAINTANCE RECOMMENDS APPLICANT. / ONE RECORDS CONTAIN

NO DEROGATORY INFORMATION. ^{Generalizing from records The Bureau of the} CSC, ^{the} HCUA, ^{the} CRIMINAL, ^{the} STREET NEGATIVE. ^{He has no}

REPORT FOLLOWS.

on and 7/26/49
in Wash. D.C.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 8/6/94 BY 5668 SLD/anj HOTTET

WPK:bjp

77-29779

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SEP 27 1949

77-44206-6
9/29/49
9/29/49

Pickler: Liaison Section
Mr. Tury

CLASSIFIED DECISIONS FINALIZED BY
DEPARTMENT REVIEW COMMITTEE (DRC)
DATE: 8/23/94 5668 Salding

BY COURIER SERVICE

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
EXCEPT WHERE SHOWN
OTHERWISE

Date: [February 28, 1956] (U)

To: Mr. Dennis A. Flinn
Director
Office of Security
Department of State
515 22nd Street, N. W.
Washington, D. C.

(orig & 1)

CLASSIFIED 10/1/79
EXT
REAS
FOUO
DATE
DECLASSIFIED 10/1/85

8/3/94 5668 Salding
CA # 94-0655HHG

From: John Edgar Hoover, Director
Federal Bureau of Investigation

Subject: BERNARD PENSTERWALD, JR.
MISCELLANEOUS - INFORMATION CONCERNING
(ESPIONAGE) (U)

A confidential source, who has furnished reliable
information in the past, advised on February 21, 1956, that

PROPRIATE AGENCIES
AND FIELD OFFICES
ADVISED BY ROUTING
SLIP (S) OF

b3
b7E

b3
b7E

(U)

The above is furnished as a matter of interest to
you and in view of the delicate nature of our source, it is
requested that no further dissemination be made of this
information without prior reference to this Bureau.

Tolson
Boardman
Nichols
Belmont
Harbo
Mohr
Parsons
Rosen
Tamm
 Sizoo
Winterrowd
Tele. Room
Holloman
Gandy

cc - 1 - SAC William P. Tompkins, routing slip 06, same date.
77-44206-
NOT RECORDED
101 FEB 29 1956

NOTE: Source is a highly confidential source of WFO. Pensterwald
was investigated as departmental consultant, Anti-Trust Div. in 1949.
Bufiles contain no derogatory data re subject.

ORIGINAL FILED IN

Mr. Tolson _____
 Mr. E.A. Tamm _____
 Mr. Clegg _____
 Mr. Glavin _____
 Mr. Ladd _____
 Mr. Nichols _____
 Mr. Rosen _____
 Mr. Tracy _____
 Mr. Carson _____
 Mr. Egan _____
 Mr. Gurnea _____
 Mr. Hendon _____
 Mr. Pennington _____
 Mr. Quinn Tamm _____
 Mr. Nease _____
 Miss Gandy _____

LP

8/5/94 56685DD *dnij*
Mr. Tolson
 4673

WASHINGTON FROM BOSTON 1

26

12-29 AM

DIRECTOR URGENT

BERNARD FENSTERWALD, JR., DAPLI, ANTITRUST DIVISION. REBUTEL AUGUST

EIGHTEEN LAST. } APPLICANT GRADUATED HARVARD COLLEGE, CAMBRIDGE, MASS., 1941

19 FORTYTWO, BS, MAGNA CUM LAUDE, HARVARD LAW SCHOOL, LLB, FORTYNINE. 1944

INVESTIGATION FAVORABLE. REFERENCE LOUIS SOHN, LECTURER AT HARVARD

LAW SCHOOL, INTERVIEWED WITH FAVORABLE RESULTS. NEIGHBORHOOD FAVORABLE.

REFERENCE, ABE D. WALDAUER AND MILTON J. STARR, BOTH RECOMMEND APPLICANT

AS LOYAL AMERICAN OF EXCELLENT REPUTATION AND CHARACTER AND CONSIDER HIM

UNUSUALLY INTELLIGENT AND AMBITIOUS. (REPORT FOLLOWS).

77-44206

SOUCY

EX-15

END

377

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11/1
FBI MEMPHIS

8-19-49

6-25 PM

AG

DIRECTOR, SACS WASHINGTON FIELD AND BOSTON

BERNARD FENSTERWALD, JR., ANTI TRUST DIVISION. REFERENCES

ABE D. WALDAUER, MEMPHIS ATTORNEY, PRESENTLY LOCATED SPRINGER COTTAGE,
WEST YARMOUTH, MASS., CARE OF MILTON J. STARR, ALSO A REFERENCE.

BOSTON INTERVIEW WALDAUER AND STARR, A WASHINGTON, D. C. RESIDENT.

SUTEL BUREAU BY AUGUST TWENTYFIVE. SUREP, AUGUST TWENTYNINE.

HOSTETTER

EX-15

RECORDED - 102

77-44206-8

AK IN ORDER PLS

WA CORRECTION NAME IN LINE FOUR WORD FIVE IS "STARR"

WA 8-28 PM OK FBI WASH DC ED

BS OK FBI BS JWT TWO COPIES WFO

DIC

8/5/49

5668 SLD/amy

FEDERAL BUREAU OF INVESTIGATION

Form No. 1

THIS CASE ORIGINATED AT **BUREAU**

BS FILE NO. 77-3951-jah

REPORT MADE AT BOSTON, MASS.	DATE WHEN MADE 9/12/49	PERIOD FOR WHICH MADE 9/9/49	REPORT MADE BY DON R. ROSE
TITLE BERNARD FENSTERMAID			CHARACTER OF CASE DEPARTMENTAL APPLICANT ANTI-TRUST DIVISION

SYNOPSIS OF FACTS: Records, Office of Clerk of Supreme Judicial Court of Mass. reflect Applicant passed Mass. Bar examination on 7/1/49 and scheduled to take oath and be admitted to practice on 9/27/49.

- R U C -

REFERENCE: Bureau teletype dated September 7, 1949.

DETAILS: Miss CHARLOTTE SNYDER, secretary, Mass. Bar Examiners Office, 73 Tremont Street, Boston, Massachusetts, advised that according to the records of that office Applicant filed a petition for examination and admission to the Massachusetts Bar in Superior Court, Suffolk County, subsequently passed the Massachusetts Bar examination on July 1, 1949 and is scheduled to take this oath and to be admitted to practice on September 27, 1949, at which time he will become a member of the Massachusetts Bar.

Miss ANNA MURRAY, Office of Clerk of Supreme Judicial Court of Massachusetts, Boston, Massachusetts, advised that the records of that office reflect Applicant to be recommended for admission to the Massachusetts Bar on September 27, 1949.

REFERRED UPON COMPLETION TO THE OFFICE OF ORIGIN

AGENCY photo ASD
REQ. REC'D 8-22-51
REP'T FORW. 8-26-51
BY: [Signature]

8/5/49

5668 SD/dmj

APPROVED AND FORWARDED: [Signature] COPIES OF THIS REPORT 3 - Bureau [Signature] 2 - Boston [Signature]	SPECIAL AGENT IN CHARGE	DO NOT WRITE IN THESE SPACES <div style="font-size: 1.5em; font-weight: bold;">77-44206-51</div> <div style="text-align: right; border: 1px solid black; padding: 2px;">RECORDED - 51</div> <div style="text-align: right; border: 1px solid black; padding: 2px;">EX-710</div>
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FEDERAL BUREAU OF INVESTIGATION

Form No. 1

THIS CASE ORIGINATED AT **BUREAU**

FILE NO. **77-882**

REPORT MADE AT MEMPHIS, TENNESSEE	DATE WHEN MADE 8/26/49	PERIOD FOR WHICH MADE 8/18, 19, 23, 24/49.	REPORT MADE BY FRANCIS J. NORMOOD
TITLE BERNARD FENSTERWALD, JR., aka Bud Fensterwald			CHARACTER OF CASE DEPARTMENTAL APPLICANT ANTITRUST DIVISION

SYNOPSIS OF FACTS:

Birth verified as 8-2-21, Nashville, Tenn. High School records reflect excellent grades. Applicant failed Tennessee Bar examination taken June, 1949, and not admitted to bar. No derogatory information about character or loyalty of applicant in bar files. Reference **ABE D. WALDAUER** related to applicant, not available at Memphis for interview. Applicant married to **BETTY VOSBERRY** of Washington, D.C., date unknown. Neighbors and associates of applicant and family advise he is of excellent reputation and character, a loyal citizen, capable and trustworthy. Applicant's mother is Mrs. **BLANCHE FENSTERWALD** and he has a sister, Mrs. **ROBERT DANIEL EISENSTEIN**, nee **ANN FENSTERWALD**. Sister formerly resided and mother now resides on Clarendon Avenue, Belle Meade, Nashville, Tenn. Confidential Informant T-1 of known reliability advised that names of Mrs. **B. FENSTERWALD** and **ANN FENSTERWALD**, both of Belle Meade Park, Nashville, Tennessee, appear on a list of delegates and members of the Southern Conference for Human Welfare at the third meeting, April 19 through 21, 1942, at Nashville, Tenn. No information received to date to conclusively establish that applicant's mother and sister are identical with the Mrs. **B. FENSTERWALD** and **ANN FENSTERWALD** listed as delegates to the Southern Conference for Human Welfare. All persons contacted who know applicant's mother and sister state they are entirely loyal and very patriotic. Both are active in civic and charitable work. Applicant's credit record is excellent; criminal record negative, Nashville, Tenn.

- RUC -

APPROVED AND FORWARDED: <i>[Signature]</i>	SPECIAL AGENT IN CHARGE	DO NOT WRITE IN THESE SPACES	
COPIES OF THIS REPORT 3 - Bureau 1 - Memphis		77-44206-10 8/5/49 5668 SLD/dmj	
		SEE REVERSE SIDE FOR ADD. DISSEMINATION	

ME #77-882

REFERENCE: Bureau teletype to Memphis 8-13-49.

DETAILS: BIRTH

Miss Annette Chandler, Division of Vital Statistics, Tennessee Department of Public Health, Nashville, Tennessee, advised from records that applicant was born on August 2, 1921, in Nashville, Davidson County, Tennessee. His father was given as BERNARD FENSTERWALD and his mother as BLANCHE LINDAUER.

EDUCATION

Mr. MARVIN T. DUNCAN, Duncan School, 401 25th Avenue South, Nashville, Tennessee, advised that the applicant attended that school for five years and that his grades were excellent, being in the high nineties for the entire time. He stated that the applicant is industrious and capable and has a very retentive mind. He also advised that he has known the family for years and they are outstanding people, loyal and patriotic. The applicant graduated from the Duncan School in 1938 and entered Harvard the following year.

EMPLOYMENT

CHARLES L. NEELY, secretary of the Tennessee Bar Association and a member of the Board of Bar Examiners for the State of Tennessee, Columbian Mutual Tower, Memphis, Tennessee, advised that applicant did not pass the Tennessee Bar examination afforded him in June, 1949, and, therefore, has not been admitted to the Tennessee Bar. He stated that applicant's grades were not far below passing and that his lowest grade was in Tennessee law.

NEELY said that he has no information of a derogatory nature as to applicant's character or loyalty in his files. He added that the Bar Committee at Nashville, Tennessee, found applicant to be of good moral character. A certificate in applicant's file in NEELY's office reflects that he received a LL.B. Degree at Harvard University June 23, 1949, and an S.B. Degree magna cum laude in Government June 11, 1942.

A letter from applicant to NEELY dated May 18, 1949, reflects his address as 7 Irving Terrace, Cambridge, Massachusetts, and stated that after June 1, 1949, his address would be Clarendon Avenue, Belle Meade, Nashville, Tennessee.

On FENSTERWALD's Application for Admission to the Bar upon Examination, executed May 7, 1949, he listed his date of birth as August 2, 1921, Nashville, Tennessee, and stated that his parents are BERNARD FENSTERWALD, SR., of Burk and Company, Church Street, Nashville, Tennessee, and BLANCHE LINDAUER FENSTERWALD, Clarendon Avenue, Nashville, Tennessee. He listed as references in this Bar Application DAN LEY, manufacturer, Fairmont Drive, LAWRENCE GOODMAN, musician,

Woodmont Boulevard, Dr. SAMUEL S. RIVEN, 4009 Aberdeen Road, Mrs. LUKE LEA, 3700 Whitland Avenue, all of Nashville, Tennessee, and ABE D. WALDAUER, Memphis, Tennessee.

REFERENCE

At the office of ABE D. WALDAUER, Commerce Title Building, Memphis, Tennessee, it was ascertained that WALDAUER will be at West Yarmouth, Massachusetts, in care of MILTON J. STARR, Springer Cottage, until September 1, 1949.

HARRY U. SCRUGGS, State Senator and law partner of WALDAUER, voluntarily advised that he has known applicant about three years but has not been closely associated with him, having met applicant through WALDAUER, who is related to applicant through marriage. SCRUGGS said from the few times he has talked to applicant and from comments about applicant by WALDAUER and persons whose judgment he respects at Nashville, Tennessee, he, SCRUGGS, has concluded that applicant is of good moral character, well rounded and loyal. He stated that his opinion was based primarily on hearsay rather than on personal knowledge. He does not know applicant's family and has no knowledge or information concerning applicant's legal ability.

NEIGHBORHOOD

Mrs. RICHARD BARR, JR., Sutherland and Clarendon Avenues; Mr. MARION SMITH, Clarendon Avenue; and Mr. ROBERT LUSK, Clarendon Avenue, all Nashville, Tennessee, advised that they were acquainted with the applicant and his family as neighbors. They advised that the applicant has not been at home much since the family has lived on Clarendon Avenue, as he has been away in armed service and at school. They stated that they consider him of excellent reputation and character. They each advised that they had no reason to doubt his loyalty and that they considered him a very patriotic citizen. Each of them stated the applicant has a good mind and is apparently capable of handling any work in his field.

These neighbors stated that the applicant's family is one of the oldest and most substantial families in Nashville, Tennessee. The FENSTERMAIDS have always been leaders in the community and active workers in civic and charitable affairs. They stated that they have no reason to believe that any of them are disloyal and, on the contrary, they consider them highly patriotic.

ASSOCIATES

Confidential Informant T-1 of known reliability has advised that the names of Mrs. B. FENSTERMAID and ANN FENSTERMAID, both of Belle Meade Park, Nashville, Tennessee, appear on a list of the delegates and members of the Southern Conference for Human Welfare in attendance at the third meeting on April 19 through 21, 1942, at Nashville, Tennessee.

Mr. DAN MAY, May Hosiery Mill, Nashville, Tennessee; Dr. SAMUEL S. RIVEN, Bennie Dillon Building, Nashville, Tennessee; and Mrs. LUKE LEA, 3700 Whitland Avenue, Nashville, Tennessee, associates of the applicant and his family, all advised that the applicant, who is generally called "BUD" FENSTERWALD, is industrious, capable, trustworthy, loyal, patriotic, and intelligent. They pointed out that he was always good at his school work and had applied himself to his studies. He went to great trouble to get in the Navy in World War II in spite of a bad eye which might have kept him out, according to these associates. They advised that he had turned down a chance to go into his father's business, which is one of the most substantial clothing stores for men in Nashville, Tennessee, in order that he might follow his chosen profession of law.

These associates stated that his family consists of his father, BERNARD FENSTERWALD, SR., his mother, whose maiden name was BLANCHE LINDAUER, his sister, ANN, who is now Mrs. ROBERT DANIEL EISENSTEIN, and his wife, who was formerly BETTY VOSBERRY of Washington, D. C. They have lived in Belle Meade, a suburban residential district of Nashville, Tennessee, for years and are quite prominent in civic affairs. The applicant's father is on the Board of Trustees of Vanderbilt University, the Board of Governors for Vanderbilt Hospital, the Board of Directors for Fisk University, a leading member of the Nashville Chamber of Commerce, and has been an active participant in nearly all charitable undertakings in Nashville, Tennessee, until poor health in recent years has forced him to retire, to a certain extent. His mother has been one of the leaders in the Nashville community agencies, on the Board of the Community Chest and an active Red Cross worker. His sister has been active in charitable work and prominent in social affairs in Nashville.

All the associates state that they consider the applicant's family loyal and that they have never known of them having membership in any organization which might be considered even slightly subversive or un-American. They could give little information on applicant's brother-in-law, ROBERT DANIEL EISENSTEIN, who is originally from Iowa, or applicant's wife, BETTY VOSBERRY, who is the daughter of a retired naval officer and who lived in Washington, D. C. They stated that applicant's wife was a Lieutenant in the Navy.

Confidential Informant T-2, who is reliable and who is acquainted with the applicant and his family, knew quite a bit about the activities of the Southern Conference of Human Welfare when it was in Nashville, Tennessee. He stated that he did not recall the applicant's mother or sister, ANN FENSTERWALD, being active in the Southern Conference of Human Welfare or even being associated with it. He stated that it was quite possible that they were contributors and that they attended the meeting held in August of 1942. He pointed out that many leading citizens of Nashville, Tennessee, had been approached by the Southern Conference of Human Welfare for donations and sponsorship. At the time they were given to understand that it was a semi-religious organization set up to give aid to the negro race. He stated that it was logical that the FENSTERWALDS would be approached and they may have contributed, as they have been leaders in charitable

ME #77-882

work, and BERNARD FENSTERWALD, SR., is one of the Board of Directors of Fisk University, a negro university in Nashville, Tennessee. He pointed out that at the particular meeting, in August of 1942, Mrs. ELEANOR ROOSEVELT was the guest speaker and many people attended for that one reason alone. He stated that the applicant and his family bear an excellent reputation in Nashville, Tennessee, and that he believes there is absolutely no reason to question his loyalty or the loyalty of any member of the family. He stated that the applicant is capable and trustworthy.

CREDIT

Miss ANNA VARLEY, Nashville Retail Credit Association, Nashville, Tennessee, advised that the applicant has an excellent credit rating. She stated that there was no derogatory information in their records.

CRIMINAL

The records of the Nashville Police Department, the Sheriff's Office of Davidson County, and the Clerk of Criminal Court of Davidson County, Nashville, Tennessee, reflect no criminal record for the applicant or any of his family.

- REFERRED UPON COMPLETION TO THE OFFICE OF ORIGIN -

ME #77-882

INFORMANT PAGE

Confidential Informant T-1 is being identified in a separate letter to the Bureau.

Confidential Informant T-2 is [REDACTED]
[REDACTED], who requested that his name be kept confidential due to the nature of the information furnished and his close association with the family.

b7D

Office Memorandum • UNITED STATES GOVERNMENT

TO : Director, FBI

DATE: August 26, 1949

FROM : SAC, Memphis [REDACTED]

SUBJECT: BERNARD FENSTERWALD, aka
 Bud Fensterwald
 DEPARTMENTAL APPLICANT
 ANTITRUST DIVISION

Reference is made to the report of SA FRANCIS W. NORWOOD dated August 26, 1949, at Memphis, referring to information furnished by Confidential Informant T-1.

The information attributed to T-1 appears on pages 7 and 11 of the report of SA JOHN L. ROBERTS dated November 4, 1942, at Memphis, Tennessee, entitled "SOUTHERN CONFERENCE FOR HUMAN WELFARE, INTERNAL SECURITY - R," apparently reflecting the result of a highly confidential investigative technique.

GAE:abk
 77-882

RECORDED - 111
 INDEXED - 111

77-44206-10X
 23 SEP 14 1949

ALL INFORMATION CONTAINED
 HEREIN IS UNCLASSIFIED
 DATE 8/5/94 BY 5668 SDD/dmj

JAN 13 1950

JAMES O. EASTLAND, MISS., CHAIRMAN
 STES KEPRUVER, TENN.
 OLIN D. JOHNSTON, S.G.
 THOMAS C. HENNING, JR., MO.
 JOHN L. MCCLELLAN, ARK.
 JOSEPH C. O'MAHONEY, WYO.
 SAM J. ERVIN, JR., N.C.
 JOHN A. CARROLL, COLO.
 THOMAS J. DODD, CONN.
 PHILIP A. HART, MICH.
 ALEXANDER W. LEVINSKY, WIS.
 WILLIAM LANGE, DAK.
 EVERETT MCKINLEY DIRKSEN, ILL.
 ROMAN L. HRUSKA, NEBR.
 KENNETH B. KEATING, N.Y.

United States Senate

COMMITTEE ON THE JUDICIARY

February 18, 1959

Mr. Tolson	✓
Mr. Belmont	✓
Mr. DeLoach	✓
Mr. McGuire	✓
Mr. Mohr	✓
Mr. Parsons	✓
Mr. Rosen	✓
Mr. Tamm	✓
Mr. Trotter	✓
Mr. W.C. Sullivan	✓
Tele. Room	✓
Mr. Holloman	✓
Miss Gandy	✓

Honorable J. Edgar Hoover
 Director
 Federal Bureau of Investigation
 Department of Justice
 Washington, D. C.

Dear Mr. Hoover:

Pursuant to Committee Resolution adopted at its organization meeting of January 26, 1959, I am submitting herewith the name of Bernard Fensterwald, Jr., counsel of the Subcommittee on Constitutional Amendments, together with standard Form 57, United States Civil Service Commission, for the purpose of providing information to assist the investigation.

It will be appreciated if you will forward to me, as Chairman of the Committee on the Judiciary, a report on Mr. Fensterwald when the investigation has been completed.

With kindest regards, I am

ALL FBI INFORMATION CONTAINED
 HEREIN IS UNCLASSIFIED
 DATE 8/5/94 BY 3268 SD/dmj

Sincerely yours,

James O. Eastland
 Chairman

* PRESENTLY ADMINISTRATIVE
 ASSISTANT TO SENATOR
 HENNING

JOE:mc
 encl

REC-44

77-44206-11
 FEB 25 1959

ENCLOSURE

66 APR 9 1959

FEB 19 1959

APPLICATION FOR FEDERAL EMPLOYMENT

APPLICATION NO.

ANNOUNCEMENT

1. Kind of position applied for or name of examination

Counsel, Senate Subcommittee on Constitutional Amendments

2. Option(s) (if mentioned in examination announcement)

3. Place of employment applied for (city and State)

Washington, D.C.

4. (First name) (Middle) (Maiden, if any) (Last)
Mr. **Bernard Fensterwald, Jr.**
Mrs.
Miss

5. Street and number or R. D. number

851 N. Lexington St.

City or post office (including postal zone) and State

Arlington, Va.

6. Place of birth

City **Nashville, Tenn.**

State or foreign country

7. Date of birth (month, day, year)

Aug. 2, 1921

8.

☒ Male
☐ Female

9. Height without shoes

5

feet

7

inches

Weight

135

pounds

10.

☒ Married
☐ Single

11. Home phone

JA 2-0949

Office phone

DI 7-8220

12. Legal or voting residence (State)

Virginia

13. If you have ever been employed by the Federal Government, indicate last grade

Admin. Asst. To U.S. Senator (no grade)

Dates of service in that grade

From **Jan. 1957**

To **Jan. 1959**

14. AVAILABILITY INFORMATION. A. Indicate the lowest salary you will accept \$ per
You will not be considered for any position with a lower entrance salary.

B. If you are now a Federal employee, indicate the lowest grade you will accept

C. Will you accept appointment for ☐ 1 to 3 months? ☐ 3 to 6 months? ☐ 6 to 12 months?

Acceptance or refusal of a short-term appointment will not affect your consideration for another appointment.

D. Are you willing to travel ☐ Occasionally? ☐ Frequently? ☐ Constantly?

E. Will you accept appointment ☐ In Washington, D. C.? ☐ Anywhere in United States? ☐ Outside U. S.?

F. If you will accept appointment only in certain locations, list them:

15. VETERAN PREFERENCE. A. If you claim 5-point preference based on wartime military service, indicate:

Date(s) of entry into active service

Sept 1942

Date(s) of separation

May 1946

Branch of service (Army, Navy, Air Force, etc.)

Navy

Serial number. If none, give grade or rating at separation

142274

B. Do you claim 5-point preference as a peacetime campaign veteran?

☐ Yes ☒ No

C. Do you claim 10-point preference?

☐ Yes ☒ No

D. Have you ever been granted 10-point veteran preference or 5-point preference as a peacetime campaign veteran by the U. S. Civil Service Commission?
☐ Yes ☒ No If so, indicate below the office which granted this preference to you. Attach your notice of preference allowance if available. It will be returned to you.

Name of U. S. Civil Service Commission office or name of Board of U. S. Civil Service Examiners

Address of Commission office or Board of Examiners

City

State

THIS SPACE FOR USE OF APPOINTING OFFICER ONLY. The information contained in answer to question 15A has been verified with the discharge certificate, which shows that the separation was under honorable conditions.

Signature **ALL FBI INFORMATION CONTAINED HEREIN IS UNCLASSIFIED**

DATE 8/5/94 BY 5668 SLD/mjy

Agency

77-44206-11

Title

Date

16. EXPERIENCE. *(Start with your present position and work back)*

[illegible]

ATTACH SUPPLEMENTAL SHEETS OR FORMS HERE

Dates of employment (month, year) From _____ To _____		Exact title of your position _____	
Salary or earnings Starting \$ _____ per _____ Final \$ _____ per _____	Classification Grade (if in Federal service)	Place of employment City _____ State _____	Kind of business or organization (manufacturing, accounting, insurance, etc.)
Name and address of employer (firm, organization, etc.) _____		Name and title of immediate supervisor _____	
Reason for leaving _____			
Description of work _____ _____ _____ _____ _____ _____ _____ _____ _____ _____			

If you need additional experience blocks, use supplemental sheets. SEE INSTRUCTION SHEET.

17. SPECIAL QUALIFICATIONS AND SKILLS.

(A) Licenses and Certificates.—Indicate the kind of license or certificate and the State or other licensing authority which granted it; for example, pilot, teacher, electrician, lawyer, radio operator, C. P. A., etc.

Kind of License **lawyer** Licensing Authority **Mass. & D.C.**

(B) List any special skills you possess and machines and equipment you can use, such as short-wave radio, multilith, comptometer, key-punch, turret lathe, scientific or professional devices.

(C) Approximate number of words per minute in:

Typing _____ Shorthand _____

(D) Give any special qualifications not covered elsewhere in your application, such as:

- (1) Your more important publications. (Do not submit copies unless requested)
- (2) Your patents or inventions.
- (3) Public speaking and public relations experience.
- (4) Membership in professional or scientific societies, etc.
- (5) Honors and fellowships received.

18. EDUCATION.

A. Give the highest elementary or high-school grade completed **12th**
If you completed high school, give date **1938**

B. Name and location of last high school attended:

Duncan Prep School, Nashville, Tenn.

C. Name and location of college or university:

Harvard College

Harvard College

Harvard Law School

Sch. Advanced International Studies

Cambridge (Eng) University

Dates attended

Years completed

Credit hours

Degrees received

From To Day Night Semester or Quarter

1938 1942 4

1946 1949 3

1946 1950 1

1954 1955 1 1/2

BS

LLB

MA

none

D. Chief undergraduate college subjects

Credit hours

Semester or Quarter

Political science

E. Chief graduate college subjects

Credit hours

Semester or Quarter

law

F. Other schools or training, such as trade, vocational, Armed Forces, or business. Give for each name and location of school, dates attended, subjects studied, certificates, and any other pertinent data:

19. Have you lived or traveled in any foreign countries?

☒ Yes ☐ No

If answer is "Yes," give in Item 34 names of countries, dates, and length of time spent there and reason or purpose (military service, business, education, or vacation).

20. Indicate your knowledge of foreign languages.

Reading			Speaking			Underst'ng			Writing		
EXC.	GOOD	FAIR	EXC.	GOOD	FAIR	EXC.	GOOD	FAIR	EXC.	GOOD	FAIR

16-53946-3 U. S. GOVERNMENT PRINTING OFFICE

16-53946-3 U. S. GOVERNMENT PRINTING OFFICE

Federal Bureau of Investigation
Records Branch

2-20-59, 1959

<input type="checkbox"/>	Name Check Unit - Room 6523
<input type="checkbox"/>	Service Unit - Room 6524
<input type="checkbox"/>	Forward to File Review
<input type="checkbox"/>	Attention _____
<input checked="" type="checkbox"/>	Return to <u>Tierney</u> <u>4651</u>
	Supervisor Room Ext.

Type of References Requested:

<input type="checkbox"/>	Regular Request (Analytical Search)
<input type="checkbox"/>	All References (Subversive & Nonsubversive)
<input type="checkbox"/>	Subversive References Only
<input type="checkbox"/>	Nonsubversive References Only
<input type="checkbox"/>	Main _____ References Only

Type of Search Requested:

<input type="checkbox"/>	Restricted to Locality of _____
<input type="checkbox"/>	Exact Name Only (On the Nose)
<input type="checkbox"/>	Buildup <input type="checkbox"/> Variations
<input type="checkbox"/>	Check for Alphabetical Loyalty Form

Subject BERNARD FENSTERWALD JR.
 Birthdate & Place 8-2-21 Nashville, Tenn.
 Address _____
Admin. Asst. to Senator Hennings
 Localities _____

R# 318 Date 2-20-59 Searcher Initials M. E. H.

FILE NUMBER SERIAL

I	77-44206	(Ident)
II	105-44852	PFF (Ident)
	66-1372-28-1	Room 1734
III	62-102241-45	PFF
I	105-50350-3	#1060
	Mrs. Bernard	
II	105-50350	PFF
IV	105-61861-2	#1060
	NR B.H.	
	B.	
	NR	
	Mrs. B.	
I	77-44206-3, 10	PFF
II	105-50350-2	PFF
IV	106-10355-82	PFF
	alias Bernard	
II	77-44206	PFF 68
	66-1372-28-1	Room 1734
	through	
	from Bernard	

ALL INFORMATION CONTAINED
 HEREIN IS UNCLASSIFIED
 DATE 8/5/94 BY 3668 SUNDAY

NUMEROUS REF

GE

SEARCH SLIP

Subj:

Richard Peniston Alford Jr

Supervisor

1. 2. 2000

Room

4657

R #

318

Date _____

5. 20.59

Searcher

Initial *ex. E. H.*

FILE NUMBER

SERIAL

one
II 66-18621-269 p. 27

NR in. Why? Who is American?

February 20, 1959

AIRTEL

TO: ~~MEMPHIS~~ MEMPHIS
BOSTON
ST. LOUIS
RICHMOND
SAN FRANCISCO
WASHINGTON FIELD
CHICAGO

FROM: DIRECTOR, FBI

BERNARD FENSTERWALD, JR., SPI, SENATE JUDICIARY COMMITTEE.

Chairman, Senate Judiciary Committee, requests investigation of Fensterwald who is employed as counsel of the Subcommittee on Constitutional Amendments. Born 8/2/21, Nashville, Tennessee, and resides 851 North Lexington Street, Arlington, Virginia.

Received B.S. in 1942 and LL.B. in 1949 from Harvard University. Also attended School of Advanced International Studies, 1946-50, receiving M.A. Indicates attendance 1954-55, Cambridge University in England. Is licensed to practice law in Massachusetts and the District of Columbia. Served in U. S. Navy 1942-46, serial #142274. Employed 1/50 to 9/56, Department of State, Washington, D. C., as assistant to the Legal Advisor, and since 1/57 has been employed as administrative assistant to Senator Thomas C. Hennings, Jr.

As references lists Herman Phleger, attorney, San Francisco, California; Adrian Fisher, attorney, Washington, D. C.; and Senator Estes Kefauver. Also indicates travel in many countries throughout the world for both business and pleasure.

Conduct thorough investigation as to character, loyalty, reputation and associates of Fensterwald, accounting for entire adult life including education, employment and any periods of unemployment. Ascertain and report identity and current address

MLI:fil (16)

Note: Request received 2/20/59 by letter dated 2/18/59 from Senator Eastland.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 8/5/94 BY 5668 SD/dmy

REC-8

77-44206-12

FEB 25 1959

MAILED 3
FEB 20 1959
COMM-FBI

MAIL ROOM

67 MAR 3 - 1959

AIRTEL TO SACS, ME, BS, SL, RH, SF, WFO, CG
RE: BERNARD FENSTERWALD, JR., SPI

of all immediate relatives and make appropriate checks concerning each. Set out necessary leads by airtel except where more expeditious means necessary to insure deadline met. Surep to reach Bureau no later than 3/9/59.

2/24/59

AIRTEL

To : SACs, Memphis (77-882)
Boston (77-3951)
Washington Field Office (77-29779)
St. Louis
Richmond
San Francisco
Chicago

From : Director, FBI

BERNARD FENSTERWALD, JR.
SPI
SENATE JUDICIARY COMMITTEE

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 8/5/94 BY 5668 SH/dmj

ReBuairtel 2/20/59.

Bureau files reflect Fensterwald subject of DAPLI investigation (attorney, Antitrust Division) in 1949. Appropriate offices review reports of 1949 investigation carefully for thoroughness under current SPI standards and bring up to date. Recontact all persons (including informants) who previously furnished unfavorable information for current comments. Insure all immediate relatives are identified, their current residence verified and appropriate checks made concerning each.

For information offices not concerned with 1949 investigation, a confidential informant advised during the 1949 investigation that the names of Mrs. B. Fensterwald and Ann Fensterwald, both of Belle Meade Park, Nashville, Tennessee, appeared on a list of the delegates and members of the Southern Conference for Human Welfare in attendance at the third meeting 4/19 through 4/21/42 in Nashville, Tennessee.

Boston, check bar association including grievance committee.

PFT:sp
(16)

MAILED 4
FEB 24 1959

COMM - FBI

NOT RECORDED

174 APR 7 1959

MAIL ROOM ☐ TELETYPE UNIT ☐

Tolson _____
Belmont _____
Mohr _____
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Parsons _____
Rosen _____
Tamm _____
Trotter _____
W.C. Sullivan _____
Tele. Room _____
Holloman _____
Gandy _____

77-44206-13

6 P.F.T.

Office Memorandum • UNITED STATES GOVERNMENT

TO : DIRECTOR, FBI

DATE: 2/24/59

FAC *[Signature]* SAC, RICHMOND (77-0)SUBJECT: BERNARD FENSTERWALD, JR.
SPI

ReBuairtel dated 2/20/59.

No record in Richmond indices re appointee *[Signature]* RUC2-Bureau
1-RichmondULS/mcw
(3)77-44206-14
NOT RECORDED
8 FEB 25 1959
[Signature]

8/5/94 5668 SHD/dmj

Office Memorandum • UNITED STATES GOVERNMENT

TO : DIRECTOR, FBI

DATE: 2/25/59

FROM: SAC, RICHMOND (77-0)

SUBJECT: BERNARD FENSTERWALD, JR.
SPI

ReBuairtels dated 2/20/59 and 2/24/59 and
Richmond airtel to Bureau dated 2/24/59.

No record Richmond indices re appointee. RUC

2-Bureau
1-Richmond

MJS/mcw
(3)

77-44206-15
NOT RECORDED

2 FEB 26 1959

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 8/5/94 BY 5668 SHD/kmj

F B I

Date: 2/25/59

Transmit the following in _____
(Type in plain text or code)Via AIRTEL _____
(Priority or Method of Mailing)

TO: DIRECTOR, FBI
FROM: SAC, WFO (77-29779)

BERNARD FENSTERWALD, Jr.
SPI, SENATE JUDICIARY COMMITTEE

ReBuairtel 2/20/59.

Bureau's attention is directed to report of
SA WILLIAM P. KOSTERMAN, titled "BERNARD FENSTERWALD,
Jr., DAPLI, ANTI-TRUST DIVISION", dated 8/31/49, at
WDC. UACB WFO will bring investigation up to date.

3 Bureau
1 WFO

FJH:vsh
(4)

8/5/44 5668 SHD/dmj

AIRTEL

77-44206-16

Approved: [Signature]
Special Agent in Charge

Sent _____ M Per _____

2/27/59

PLAIN TEXT

AIRTEL

AIRMAIL

TO: SAC, WASHINGTON FIELD (77-29779)
FROM: SAC, ST. LOUIS (77-26153)
SUBJECT: BERNARD FENSTERWALD, JR.
SPI

Rebuairtel to Memphis dated 2/24/59.

BUDED: 3/9/59.

On 2/27/59, Personnel, DIA PRO, NMIC, St. Louis, Missouri advised SE [redacted] that the military service record for BERNARD FENSTERWALD, JR., Navy serial number 142 274, was not located this records center, but may be located Navy Annex, Arlington, Virginia.

b6
b7C

Washington Field attempt to verify Navy military service.

- P -

HOWARD

2-Washington Field
1-Bureau
1-St. Louis
JME:ceh
(4)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 8/5/94 BY 5668 JLD/pnj

77-44206-17
NOT RECORDED

6 MAR 2 1959

March 2, 1959

PLAIN TEXT

AIRTEL

AIRMAIL

TO: SAC, WASHINGTON FIELD (77-29779)

FROM: SAC, ST. LOUIS (77-26153)

BERNARD FENSTERWALD, JR.
SPI

ReBuairtels dated 2/20/59 and 2/24/59. Dated 3/9/59.

St. Louis verifying employment with Dept. of State, Wash., D.C., 1/9/50 to 9/5/56. Was on leave without pay from 9/3/54 to 1/5/56, to study at the University of Cambridge.

Additional addresses were indicated as Clarendon Ave., Bellemeade, Nashville, Tenn., in February, 1949, and 2016 "F" St., N.W., Wash., D.C., in January, 1950.

His wife was shown as ELIZABETH FENSTERWALD, residing 2016 "F" Street, N.W., Wash., D.C., in 1950.

Records indicated references in 1949 as DR. WILLIAM Y. ELLIOTT, School of Public Administration, Harvard University and JUDGE MANLEY O. HUDSON, Harvard Law School, both located Cambridge, Mass.; DR. HALFORD E. HOSKINS, School of Advanced International Studies, 1906 Florida Ave., N.W. Wash., D.C.

All offices conduct appropriate investigations, if not previously handled. P

HOWARD

- 2 - Washington Field
- ① - Bureau
- 2 - Boston (77-3951)
- 2 - Memphis (77-382)
- 1 - St. Louis

JBS
(8)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED

DATE 8/5/94 BY 5668 SHD/dmj

77-44206-18

RECORDED

1959

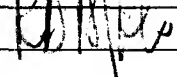
FEDERAL BUREAU OF INVESTIGATION

Reporting Office CHICAGO	Office of Origin BUREAU	Date 3/3/59	Investigative Period 2/25/59
TITLE OF CASE BERNARD FENSTERWALD, Jr.		Report made by LOUIS S. CRAIG	Typed By: MAM
		CHARACTER OF CASE SPECIAL INQUIRY SENATE JUDICIARY COMMITTEE	

Synopsis

Reference: Bureau airtel to Memphis dated 2/20/59.

- RUC -

Approved 	Special Agent In Charge	Do not write in spaces below	
Copies made: ② - Bureau (AM) 1 - Chicago (77-10197)		77-44206-19	

COVER PAGE

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to:

Report of: SA LOUIS S. CRAIG
Date: March 3, 1959

Office: CHICAGO

File Number: Chicago 77-10197

Title: BERNARD FENSTERWALD, Jr.

Character: SPECIAL INQUIRY

Synopsis:

No record of American Bar Association membership on part of appointee located at Chicago, Illinois.

- RUC -

8/5/4 566854/dmij

CG 77-10197

DETAILS:

Miss MARGARET HANSCHMANN, Clerk, American Bar Association, 1155 East 60th Street, Chicago, Illinois, advised on February 25, 1959, that a search of the Association's membership and grievance files failed to reflect any prior or current membership record for the appointee in the American Bar Association.

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE ST. LOUIS	OFFICE OF ORIGIN BUREAU	DATE 3/4/59	INVESTIGATIVE PERIOD 2/25-26/59
TITLE OF CASE BERNARD FENSTERWALD, JR.		REPORT MADE BY IC 	TYPED BY clh
		CHARACTER OF CASE SPECIAL INQUIRY SENATE JUDICIARY COMMITTEE	

SYNOPSIS:

REFERENCE: Bureau airtel dated February 20, 1959.
Bureau airtel dated February 24, 1959.
St. Louis airtel to Washington Field dated March 2, 1959.

STATUS: RUC

8/5/94 566854/dmj

APPROVED <i>[Signature]</i>	SPECIAL AGENT IN CHARGE	DO NOT WRITE IN SPACES BELOW	
COPIES MADE: 2 - Bureau (AIRMAIL) 1 - St. Louis (77-26153)		77-44206-20	
		NOTED	
		4 MAR 5 1959	
		[Stamp]	

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to:

Report of:
Date:IC [REDACTED]
March 4, 1959

Office: St. Louis

b6
b7C

File Number:

St. Louis 77-26153

Title:

BERNARD FENSTERWALD, JR.

Character:

SPECIAL INQUIRY
SENATE JUDICIARY COMMITTEE

Synopsis:

Records FRC, GSA, St. Louis, Mo., indicated BERNARD FENSTERWALD, JR. employed by Dept. of State at Wash., D.C. Terminated by reason of resignation. During this employment he was designated as an Adviser to the Eighth Session of the United Nations General Assembly, New York City, and as an Ad Hoc Adviser to the Working Level Meeting on the Draft Statute of the International Atomic Energy Agency, Wash., D.C. Additional addresses, relative, and references set forth.

- RUC -

DETAILS: AT. ST. LOUIS, MISSOURI

3/5/94 5668 SLD/dmj

On February 26, 1959, a review of the personnel records, Federal Records Center, General Services Administration, St. Louis, Missouri, for BERNARD FENSTERWALD, JR., indicated that he was employed on January 9, 1950, as an Attorney-Adviser with the Department of State, Office of Legal Adviser, Office of the Assistant Legal Adviser for International Organization Affairs at Washington, D.C. He was placed on leave without pay from September 3, 1954, to January 5, 1956, for educational purposes to study at the University of Cambridge. This employment was terminated on September 5, 1956, as an Attorney-Adviser by reason of resignation, to accept non-government employment.

The records indicated during the above employment he was designated by the Department of State as an Adviser on the United States Delegation to the Eighth Session of the United Nations General Assembly, New York City, September 15, 1953, and he was designated as an Ad Hoc Adviser on the United States Delegation to the Working Level Meeting on the Draft Statute of

St. Louis 77-26153

the International Atomic Energy Agency, Washington, D.C.,
February 27, 1956.

The records indicated additional addresses as Clarendon Avenue, Bellemeade, Nashville, Tennessee, in February, 1949, and 2016 "F" Street, Northwest, Washington, D.C., in January, 1950.

The records indicated his wife as ELIZABETH FENSTERWALD, residing at 2016 "F" Street, Northwest, Washington, D.C., in 1950.

The records indicated references in 1949 as DR. WILLIAM Y. ELLIOTT, School of Public Administration, Harvard University, Cambridge, Massachusetts; JUDGE MANLEY O. HUDSON, Harvard Law School, Cambridge, Massachusetts, and DR. HALFORD E. HOSKINS, School of Advanced International Studies, 1906 Florida Avenue, Northwest, Washington, D.C.

The date and the place of his birth were shown as August 2, 1921, at Nashville, Tennessee.

3/4/59

AIRTEL

TO: SAC, NEW HAVEN
FROM: SAC, WFO (77-29779)

BERNARD FENSTERWALD, Jr.
SPI
SENATE JUDICIARY COMMITTEE

ReBuairtels 2/20 and 24/59, no cc New Haven.

Chairman Senate Judiciary Committee, requests investigation of FENSTERWALD, who is employed as counsel of the Subcommittee on Constitutional Amendments. Born 8/2/21, Nashville, Tennessee. Buded 3/9/59.

NH FENSTERWALD was employed 1/50 to 9/56, Department of State, as assistant to the Legal Advisor. Personnel at Department of State, advise that JACK TATE, former Deputy Legal Advisor that agency, now Associate Dean at Yale University and well acquainted with appointee. New Haven handle.

For information New Haven, appointee was subject of DAPLI investigation 1949, at which time a confidential informant advised that the names Mrs. B. FENSTERWALD and ANN FENSTERWALD, both of Belle Meade Park, Nashville, Tennessee, appeared on a list of the delegates and members of the Southern Conference for Human Welfare in attendance at the third meeting 4/19 through 4/21/42 in Nashville, Tennessee.

2 - New Haven
① - Bureau
1 - WFO
FJH:blb
(4)

AIRTEL

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HEREIN IS UNCLASSIFIED
DATE 8/5/94 BY 5668 Snd/dmj

77-44206-21
NOT RECORDED

4 MAR 5 1959

FEDERAL BUREAU OF INVESTIGATION

Reporting Office SAN FRANCISCO	Office of Origin BUREAU	Date 3/6/59	Investigative Period 3/5/59
TITLE OF CASE BERNARD FENSTERWALD, JR.		Report made by SA EDWARD DORNELAS, JR.	Typed By: VRG
		CHARACTER OF CASE SPECIAL INQUIRY SENATE JUDICIARY COMMITTEE	

XXXXXX

REFERENCES: Bureau airtels to San Francisco, 2/20,24/59.

RUC

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 8/5/94 BY 5668 SLD/mj

Approved <i>W. B. ...</i>	Special Agent In Charge	Do not write in spaces below	
Copies made: 2 Bureau (AM) 1 San Francisco (77-7843)		77-44206-22 NOT RECORDED 12 MAR 9 1959	

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to:

Report of: SA EDWARD DORNLAS, JR.
Date: March 6, 1959

Office: San Francisco

File Number: San Francisco 77-7843

Title: BERNARD FENSTERWALD, JR.

Character: SPECIAL INQUIRY
SENATE JUDICIARY COMMITTEE

Synopsis: HERMAN PHLEGER, a reference, advised Applicant employed under his supervision for 2 year period in State Department, Washington, D.C., recommends. Nothing unfavorable.

RUC

DETAILSAT SAN FRANCISCO, CALIFORNIAREFERENCE

Mr. HERMAN PHLEGER, partner in the law firm of BROBECK, PHLEGER and HARRISON, attorneys, 111 Sutter Street, was interviewed on March 5, 1959. He related that from 1953 to 1957 he was the Legal Adviser in the Department of State, Washington, D.C. He stated that the Applicant, for about a two year period until about 1956, was employed under his supervision in the United Nations Section. He related that the Applicant terminated his Government employment at that time to work on a political campaign.

Mr. PHLEGER stated that he had no outside association with Applicant during the two year period and that he had not met and was not acquainted with any members of Applicant's family.

8/5/94 5608 SJDmy

SF 77-7843

ED:vrg

Mr. PHLEGER described Applicant as a very industrious worker, and he would not question his associates or his reputation. He said he would readily re-employ the Applicant based upon his legal qualifications, ability, and good character. Mr. PHLEGER said he would recommend Applicant for any Government employment in a responsible position, and knew of no information of an unfavorable nature concerning him.

FEDERAL BUREAU OF INVESTIGATION

Reporting Office BOSTON	Office of Origin BUREAU	Date 3/6/59	Investigative Period 2/25/59 - 3/5/59
TITLE OF CASE BERNARD FENSTERWALD, JR.		Report made by <div style="border: 1px solid black; height: 15px; width: 150px;"></div>	Typed By: baw
		CHARACTER OF CASE SPECIAL INQUIRY - SENATE JUDICIARY COMMITTEE.	

~~SECRET~~

REFERENCE

Bureau airtel to Boston dated 2/20/59.
St. Louis airtel to WFO dated 3/2/59.

- P -


LEADS

BOSTON:

At Cambridge, Massachusetts
Will interview Professor WILLIAM Y. ELLIOTT, Harvard University, who is expected to be available during the week of 3/9/59.

ADMINISTRATIVE

Reference is made to St. Louis airtel to WFO, cc Boston, indicating that JUDGE MANLEY O. HUDSON, Harvard Law School, Cambridge, Mass., was a reference of appointee in 1949. It is to be noted that

Approved 	Special Agent In Charge	Do not write in spaces below	
Copies made: 2 - Bureau (77-44206) 1 - Boston (77-3951) ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 8/5/94 BY 5668 SLD/dmj		77-44206-23	

BS 77-3951

Boston file 62-2704, serial 4, page 3, contains a list of individuals with whom contact by Boston Special Agents is not recommended. This list indicates Professor MANLEY O. HUDSON, 56 Garden Street, Cambridge, Massachusetts, Harvard Law School, is not to be contacted. Therefore, JUDGE HUDSON was not contacted during the course of this investigation.

- A -

COVER PAGE

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to:

Report of:

SA [REDACTED]

Office: BOSTON

b6
b7C

Date:

3/6/59

File Number:

BS 77-3951 - BU 77-44206

Title:

BERNARD FENSTERWALD, JR. -

Character: SPECIAL INQUIRY - SENATE JUDICIARY COMMITTEE.

Synopsis:

No credit or arrest record. No record of any grievances filed against appointee at Massachusetts Supreme Judicial Court or Massachusetts Bar Association.

- P -

Details:

Investigation at Peterborough and Keene, New Hampshire, was conducted by SA [REDACTED]; at Concord, New Hampshire, by SA [REDACTED].

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ALL INFORMATION CONTAINED

HEREIN IS UNCLASSIFIED

DATE

8/5/99

5668 SLD /dmj

CREDIT

On March 5, 1959, Miss LEDORA BUTTRICK, Keene Credit Bureau, Keene, New Hampshire, which bureau covers Peterborough, New Hampshire, advised that she could locate no record in her files in the name of BERNARD FENSTERWALD, JR.

ARREST

Miss MARY C. LANNON, Clerk, Cambridge, Massachusetts, Police Department advised on March 5, 1959, that she could locate no arrest record in her files for BERNARD FENSTERWALD, JR.

ALBERT PICARD, Chief of Police, Peterborough, New Hampshire, Police Department, advised on March 5, 1959, that he could locate no arrest record in the files of his department for BERNARD FENSTERWALD, JR.

Personnel of the New Hampshire State Police Headquarters, Identification Section, Concord, New Hampshire, a central repository for arrest records in the State of New Hampshire, advised on February 25, 1959, that BERNARD FENSTERWALD, JR. had no arrest record with that department.

MISCELLANEOUS

Miss PATRICIA CALLAHAN, Office of the Clerk of the Supreme Judicial Court, Suffolk County Courthouse, Boston, Massachusetts, advised on March 5, 1959, that their records showed that the appointee was admitted to the Massachusetts Bar on September 27, 1949, and that their files showed no record of any grievances having been filed against him.

Miss MARGARET WEISS, Massachusetts Bar Association, 15 Court Street, Boston, Massachusetts, advised on March 5, 1959, that the files of that office showed no record of any grievances having been filed against BERNARD FENSTERWALD, JR.

FEDERAL BUREAU OF INVESTIGATION

Reporting Office MEMPHIS	Office of Origin BUREAU	Date 3/6/59	Investigative Period 3/3/59
TITLE OF CASE "CHANGED" BERNARD FENSTERWALD, Jr., Aka "Bud"		Report made by FRANCIS W. NORWOOD	Typed By: krp
		CHARACTER OF CASE SPECIAL INQUIRY; SENATE JUDICIARY COMMITTEE	

Synopsis:

The title of this case is marked "changed" to include the name "BUD" FENSTERWALD developed in previous investigation.

REFERENCES

Bureau airtel to Memphis and other offices dated 2/20/59.
Bureau airtel to Memphis and other offices dated 2/24/59.

- RUC -

INFORMANTS

Memphis confidential informant T-1 is [redacted], who furnished information on a confidential basis to SA FRANCIS W. NORWOOD in the case entitled [redacted]

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Approved <i>[Signature]</i>	Special Agent In Charge	Do not write in spaces below	
Copies made: ② - Bureau 1 - Memphis (77-882)		77-44206-24	MCL-12
		NOT RECORDED 25 MAR 10 1959	SD

ME 77-882

ADMINISTRATIVE

Applicant was investigated in the Memphis Division in 1949 (See report of SA FRANCIS W. NORWOOD dated 8/26/49 at Memphis, entitled "BERNARD FENSTERWALD, Jr., aka Bud Fensterwald, Departmental Applicant, Antitrust Division.) There is no indication that he has resided in Nashville, Tennessee, since that time. Material concerning FENSTERWALD and his relatives received since that time is included from file review. Credit and criminal checks were made on applicant's uncle and cousin, inasmuch as there is apparently a close family relationship.

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to:

Report of: SA FRANCIS W. NORWOOD
Date: March 6, 1959

Office: MEMPHIS

File Number: Memphis 77-882

Title: BERNARD FENSTERWALD, Jr.

Character: SPECIAL INQUIRY;
SENATE JUDICIARY COMMITTEE

Synopsis: Informant advised in 1957 that applicant and relatives have traveled extensively, including trips to Russia and other points behind Iron Curtain, which trips are designed to satisfy their intellectual curiosity. One news article refers to trip to Russia to be taken by applicant and his mother. Credit and criminal on relatives checked. Credit favorable. No criminal record.

- RUC -

8/5/94 5668 SW/dmg

ME 77-882

DETAILS:

An article appeared in the Nashville "Banner," a daily newspaper published in Nashville, Tennessee, on June 21, 1956, which stated that BERNARD FENSTERWALD, Jr., a State Department lawyer, and his mother, Mrs. BERNARD FENSTERWALD, Sr., Clarendon Avenue, Nashville, would leave the following Friday on a 3-week vacation trip to Russia.

BERNARD FENSTERWALD, Jr., was quoted in the article and he indicated that it was strictly a vacation trip and that he and his mother were curious to see what was going on behind the Iron Curtain. He stated that they planned to visit Lenin-grad, Moscow, Stalingrad, Rostov and Kiev, and that they were more interested in seeing the industries and the people than in browsing through art museums. It was stated that this was to be BERNARD FENSTERWALD's first trip to Russia, but his mother was said to have visited there under the Czarist regime just before World War I. The article further stated that BERNARD FENSTERWALD had recently returned from a year and a half in Western Europe, chiefly spent in studying at Cambridge University. He described himself as an international lawyer. He was further described as having been a State Department official since 1950, and as being in the United Nations Affairs Section of the Office of the Legal Adviser to the Secretary of State.

In connection with another matter, the following information was received from Memphis confidential informant T-1, who advised on June 24, 1957, that she had been acquainted with RALPH FENSTERWALD, an uncle of BERNARD FENSTERWALD, Jr., for a period of twenty to thirty years. This informant said that RALPH FENSTERWALD was approximately sixty years of age, is five feet eight inches tall, grey hair, medium complexion, and brown eyes. She stated that he was retired from business; that formerly he was one of the owners of Burk and Company, a clothing store in Nashville.

Informant stated that since FENSTERWALD's retirement he has done nothing except travel and rest at his home in

ME 77-882

Nashville between trips. She advised that within the past two years, his sister-in-law, Mrs. BERNARD FENSTERWALD, also known as Mrs. Blanche Fensterwald, and her son, BERNARD FENSTERWALD, Jr., have made a trip to Europe, during which they visited some countries behind the Iron Curtain. She stated she also understands that his daughter, ELAINE FENSTERWALD, has recently left the United States for a trip to Europe and that she plans to visit some of the countries behind the Iron Curtain. Informant stated she feels that RALPH FENSTERWALD will become interested in such a trip, inasmuch as he has always followed the suit of his family, and that probably he and his wife, LUCILLE FENSTERWALD, will be making such a trip in the future.

Informant stated that she knows of no Communist affiliations or sympathies on the part of RALPH FENSTERWALD or any of his relatives, and stated that these trips are strictly tourist or pleasure trips and are not made because of any ulterior motives. She stated that RALPH FENSTERWALD and his wife are very high type people who are extremely well educated and have a high degree of intellectual curiosity. She pointed out that their daughter, ELAINE FENSTERWALD, is an attorney at law in New York City and is regarded as a very intelligent person. She stated the FENSTERWALDs are well off financially and that their travels are designed to satisfy their intellectual curiosity.

On July 11, 1957, Memphis confidential informant T-1 advised that RALPH FENSTERWALD and his wife were scheduled to leave Nashville, Tennessee, on July 16, 1957, to go on an extended trip to Europe.

Credit and Criminal

Miss BARBARA RYAN, Clerk, Credit Bureau of Nashville, advised SE JOHN D. JONES on March 3, 1959, that Mrs. BLANCHE FENSTERWALD, Clarendon Avenue, RALPH FENSTERWALD and his wife, LUCILLE FENSTERWALD, 402 Elmington Place, and ROBERT DANIEL EISENSTEIN and his wife, ANN FENSTERWALD, 1108 Nichol Lane, all Nashville, Tennessee, have satisfactory credit records in her files. She stated that there is no information

ME 77-882

in her files which would reflect adversely on their character, loyalty or associates.

Miss RYAN advised that she was unable to locate any information in her files concerning ELAINE FENSTERWALD.

Mr. JAMES P. GOSSETT, Identification Officer, Davidson County Sheriff's Office, and Mrs. FAY RYMAN, Clerk, Central Records Division, Nashville, Tennessee, Police Department, advised SE JONES on March 3, 1959, that they were unable to locate any information in the files of their respective offices concerning Mrs. BLANCHE FENSTERWALD, ROBERT D. EISENSTEIN, ANN FENSTERWALD EISENSTEIN, RALPH FENSTERWALD, LUCILLE FENSTERWALD, or ELAINE FENSTERWALD.

- RUC -



*In Reply, Please Refer to
File No.*

UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

Memphis, Tennessee

March 6, 1959

BERNARD FENSTERWALD, Jr.
SPECIAL INQUIRY;
SENATE JUDICIARY COMMITTEE

Memphis confidential informant T-1 referred to in the report of Special Agent FRANCIS W. NORWOOD dated March 6, 1959, at Memphis, Tennessee, has furnished reliable information in the past.

F B I

Date: 3/6/59

Transmit the following in _____
(Type in plain text or code)Via AIRTEL _____
(Priority or Method of Mailing)

TO: DIRECTOR, FBI
FROM: SAC, WFO (77-29779)

BERNARD FENSTERWALD, JR.
SPI
SENATE JUDICIARY COMMITTEE

ReBuairtels 2/20 and 24/59.

Investigation to date does not account for appointee's activity between 9/5/56, when he left State Department, and 1/16/57, when he entered on duty with Senator THOMAS C. HENNINGS, Jr. If existing sources cannot supply this information, WFO will interview FENSTERWALD, UACB. Because of lack of information in this regard, report will not reach Bureau before 3/11/59.

③ - Bureau
1 - WFO
FJH:blb
(4)

AIRTEL

77-44206-25

ALL INFO CONTAINED HEREIN IS UNCLASSIFIED
DATE 8/5/94 BY 5668 SD/dmj

Approved: LVB
Special Agent in Charge

Sent _____ M Per _____

FEDERAL BUREAU OF INVESTIGATION

Reporting Office NEW HAVEN	Office of Origin BUREAU	Date 3/7/59	Investigative Period 3/6/59
TITLE OF CASE BERNARD FENSTERWALD, JR.		Report made by SA SALVATORE F. DUCIBELLA	Typed By: smj
		CHARACTER OF CASE SPECIAL INQUIRY - SENATE JUDICIARY COMMITTEE	

~~Synopsis~~

REFERENCE:

Washington Field airtel to New Haven, dated 3/4/59.

- R U C -

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 8/5/94 BY 51628 SLD/dmg

Approved <i>[Signature]</i>	Special Agent In Charge	Do not write in spaces below	
Copies made: 3-Bureau 1-New Haven (77-3778)		77-44206-26	
		NOT RECORDED 7 MAR 9 1959	

RECEIVED
MAR 8 15 05 PM '59
FBI
SECTION

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to:

Report of: SA SALVATORE F. DUCIBELLA Office: NEW HAVEN
Date: 3/7/59
File Number: NH 77-3778
Title: BERNARD FENSTERWALD, JR.

Character: SPECIAL INQUIRY -
SENATE JUDICIARY COMMITTEE

Synopsis: JACK TATE and CHARLES RUNYON of the Yale Law School, New Haven, Conn., advised that they knew appointee as an Assistant to Legal Adviser, Dept. of State, and have known him socially as personal friends; both highly recommend appointee for intelligence, ability, character, reputation, associations, and unquestioned loyalty.

- R U C -

Details: On March 6, 1959, JACK B. TATE, Associate Dean, School of Law, Yale University, New Haven, Connecticut, advised that he had been Deputy Legal Adviser in the Department of State from 1950 to 1954 when BERNARD FENSTERWALD, JR. was employed as an Assistant to the Legal Adviser. Mr. TATE stated that he was well acquainted with appointee during and since the above period; and observed that appointee had worked under his general supervision and had performed many assignments for him. He added that he has kept in touch with appointee socially since that time. Mr. TATE related that the appointee, he had found, was a man of very high intelligence and ability as a lawyer, that he has kept up his knowledge of the law and written law review articles, that he is a hard worker who gets along well with people and has a pleasant personality. He added that "he is the kind of person I would like to have on my staff."

RECEIVED AS OF
DATE 8/5/94

5668 SLB/dmj

Mr. TATE advised that appointee is a fair-minded person of excellent judgment. He stated that appointee has a great interest in world affairs and is a keen student thereof. He noted that after leaving the Department of State in 1956, the appointee studied for a year at Cambridge University in England. He also stated that appointee, out of intellectual curiosity, visited the Soviet Union; that before and after the latter visit, appointee thought "the Communists are lousy."

Mr. TATE stated that appointee's associates have always been persons of high regard in governmental and academic circles, that they and he are persons of excellent character, reputation, and unquestioned loyalty as Americans. Mr. TATE stated he would recommend appointee for a position of high trust and confidence in government service.

On March 6, 1959, CHARLES RUNYON, Assistant Dean, School of Law, Yale University, New Haven, Connecticut, advised that he knew appointee from 1950 to September, 1956, as a fellow Assistant to the Legal Adviser in the Department of State, that they both worked in the office of the Assistant Legal Adviser for United Nations Affairs, and that [REDACTED] appointee socially as a close friend since that time. He described appointee as a man of great ability and intelligence, as a capable lawyer who possesses very good judgment and a fine, forthright character and personality.

Mr. RUNYON stated that appointee's associates have been persons of excellent character and reputation, who are highly respected in government and academic life. He stated that appointee possesses a charming personality and gets along well with his colleagues in government service. He noted that appointee possesses great enthusiasm, initiative, imagination, fair mindedness, and the ability to get things done. He stated that appointee is a person of unquestioned loyalty and that he would highly recommend him for a position of trust and confidence.

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3/9/59

AIRTEL

APPROPRIATE AGENCIES
AND FIELD OFFICES
ADVISED BY ROUTING
SLIP (S) OF _____
DATE _____

TO: SAC, NEW YORK
FROM: SAC, WFO (77-29779)
BERNARD FENSTERWALD, JR.
SPI
SENATE JUDICIARY COMMITTEE

CLASS. & EXT. BY 638 VR/EW
REASON FCIM II, 1-2.4.2
DATE OF REVIEW 7-9-79

7-9-81
Classified by 5668 SLD/amy
Declassify on: OADR
CA# 94-0655 HHC

ReBuairtels 2/20 and 24/59, no cc's NY.

Chairman, Senate Judiciary Committee, requests investigation of FENSTERWALD, who is employed as counsel of the Subcommittee on Constitutional Amendments. Born 8/2/21, Nashville, Tennessee. Buded 3/9/59.

Reference is also made to NY letter to the Bureau dated 7/1/56 entitled [redacted] (U) which advised that [redacted] advised that Mrs. BERNARD FENSTERWALD and son were departing the United States on SAS Flight 904 on 6/23/56 for the Soviet Union. This information is not reflected in the appointee's passport record. (U)

WFO will set this information out in report, however, NY furnish Bureau with documentation memo for [redacted] (U)

2 - New York
① - Bureau
1 - WFO
FJH:blb
(4)

AIRTEL

CLASSIFIED AND EXTENDED BY SP-2 TAP/CGL (U)
REASON FOR EXTENSION 2,3
FCIM, II, 1-2.4.2
DATE OF REVIEW FOR DECLASSIFICATION 3-9-79
8-21-29

77-44206-27
NOT RECORDED

MAR 9 1959

APPROPRIATE AGENCIES
AND FIELD OFFICES
ADVISED BY ROUTING
SLIP (S) OF _____
DATE 11/13/81

ALL INFORMATION CONTAINED
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EXCEPT WHERE SHOWN
OTHERWISE

7-16-82

FEDERAL BUREAU OF INVESTIGATION

Reporting Office WASHINGTON FIELD	Office of Origin BUREAU	Date 3/10/59	Investigative Period 2/25/59 - 3/9/59
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TITLE OF CASE

Report made by

b6

Typed By:
cpn

b7C

CHARACTER OF CASE

BERNARD FENSTERWALD, JR.

**SPECIAL INQUIRY
SENATE JUDICIARY COMMITTEE**

CLASS. & EXT. BY **6583M/TEW**

REASON-FCIM II, 1-2.4.2

DATE OF REVIEW **7-9-94**

**CLASSIFIED DECISIONS FINALIZED BY
DEPARTMENT REVIEW COMMITTEE (DRC)
DATE: 8-23-99 5668 SLS/amy**

References: Bureau airtels 2/20/59 and 2/24/59.
St. Louis airtels to WFO 2/27/59 and 3/2/59.

- P -

**CLASSIFIED AND
EXTENDED BY**

REASON FOR EXTENSION

FCIM, II, 1-2.4.2

DATE OF REVIEW FOR

DECLASSIFICATION

2, 5

3-10-79

8-21-79

LEAD

WASHINGTON FIELD OFFICE

AT WASHINGTON, D. C.

Will report results of checks at ONI, ☐

INFORMANT **Xu**

WF T-1: Anonymous source. **Xu**

NY T-1: ☐ as reflected in NY let to Bureau dated
7/1/56, captioned ☐

Approved **LVB**

Special Agent
In Charge

Do not write in spaces below

Copies made:

2 - Bureau

1 - Washington Field (77-29779)

NOT RECORDED

25 APR 5 1959

**ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
EXCEPT WHERE SHOWN
OTHERWISE.**

**APPROPRIATE AGENCIES
AND FIELD OFFICES
ADVISED BY SLIP(S) OF
DATE **8/28/79****

CONFIDENTIAL

WFO 77-29779

~~CONFIDENTIAL~~

Careful consideration has been given each source concealed and T-Symbols were utilized in the report only in those instances where the identities of the sources must be concealed. *Qu*

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COVER PAGE

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

~~CONFIDENTIAL~~

Copy to:

Report of: SA [REDACTED]
Date: 3/10/59

Office: Washington, D. C.

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b7C

File Number: Washington Field (77-29779)

Title: BERNARD FENSTERWALD, JR.

~~ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
EXCEPT WHERE SHOWN
OTHERWISE.~~

Character: SPECIAL INQUIRY
SENATE JUDICIARY COMMITTEE

Synopsis: Employment at U. S. Senate and Department of State verified and associates recommend. M.A. Degree awarded appointee from School of Advanced International Studies 1950. References recommend. Residences verified and favorable. No additional pertinent information D. C. Credit Bureau, Inc. No record MPD or USPP. Traffic record located Arlington County, Virginia, PD. No additional pertinent information CSC and no record HCUA. Navy record set forth. No additional pertinent information Security Office, Department of State. Appointee admitted to D. C. Bar 6/19/53. No additional pertinent information Committee on Admissions and Grievances. No record Bar Association of D. C. No additional pertinent information OSD. State Department passport information set forth. [REDACTED]

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(U)

CLASSIFIED DECISIONS FINALIZED BY
DEPARTMENT REVIEW COMMITTEE (DRC)

DATE:

CLASS. & EXT. BY 6383-
REASON-FCIM II, 1-2.4.2
DATE OF REVIEW 7-9-94

CLASSIFIED AND EXTENDED BY SP-2 TAP/AG-12
REASON FOR EXTENSION 2,3
FCIM, II, 1-2.4.2
DATE OF REVIEW FOR DECLASSIFICATION 8-10-79

8/3/94 5668 SLD/dmj

Declassify on: OADR
CA# 94-0655 HHG

APPROPRIATE AGENCIES
ADVISED BY
DATE 8/28/94

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~~CONFIDENTIAL~~

WFO 77-29779

DETAILS: AT WASHINGTON, D. C.

EMPLOYMENT

U. S. Senate

On February 26, 1959, Mr. JOHN ROBERSON, Clerk, U. S. Senate Disbursing Office, advised SA PAUL E. ERTZINGER that the payroll records reflected that the appointee entered on duty on January 16, 1957, as an Assistant Clerk to U. S. Senator THOMAS C. HENNINGS, JR., and that on April 19, 1957, he was promoted to Administrative Assistant. The record further indicated that on February 1, 1959, the appointee transferred to Chief Counsel, U. S. Senate Subcommittee on Constitutional Amendments, and is currently serving in that capacity.

[redacted] to U. S. Senator THOMAS C. HENNINGS, JR., advised SA ERTZINGER on March 5, 1959, that Senator HENNINGS has been unavailable due to an illness during the preceding week and did not know when he would be able to return to his office. [redacted] contacted Senator HENNINGS and advised SA ERTZINGER that the Senator had authorized him to state that he had known the appointee when the appointee was with the Department of State and had always had the highest regard and praise for him. He added that he knew nothing at all unfavorable concerning the appointee's character, associates, reputation and loyalty and added that he would recommend him most favorably for a sensitive position with the Government.

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[redacted] also advised that he has known the appointee since July, 1957, and worked as his assistant until the appointee left Senator HENNING's office. He concluded that in addition to this professional contact he has known him well socially and described the appointee's character, associates, reputation and loyalty as being above any question and his work as most competent and satisfactory. He stated that he would recommend the appointee most favorably for a sensitive position with the Government.

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On March 6, 1959, [redacted] Staff of U. S. Senator HENNINGS, advised that she has known the appointee professionally and furnished substantially the same information as [redacted], and recommended the appointee

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WFO 77-29779

for a sensitive position with the Government. [redacted] also stated that from September, 1956, to January, 1957, the appointee assisted Senator ESTES KEFAUVER in his political campaign.

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On the same date, [redacted] to Senator KEFAUVER, verified the fact that the appointee had worked on the Senator's political campaign from September, 1956, to January, 1957. She stated that he contributed his time and efforts and was not on the Senator's or the Senate payroll. [redacted] said his work had been very satisfactory, that his character, associates, reputation and loyalty were above question, and that she would have no hesitation in recommending him for a sensitive position with the Government.

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Department of State

On February 26, 1959, SE [redacted] caused the personnel records, Department of State, to be searched concerning the appointee and the records did not reflect any additional pertinent information.

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On March 3, 1959, SA OLIVER B. JONES conducted the following investigation at the Department of State:

Mr. LEONARD C. MEEKER, Assistant Legal Adviser for United Nations, stated he has known the appointee since about the Summer of 1951 having met him as a fellow employee of their group. He related that Mr. FENSTERWALD was under his immediate supervision for the most part until the appointee left the Department of State in 1956. Mr. MEEKER advised further that he found Mr. FENSTERWALD to be a very competent attorney, sincere, discreet and trustworthy. He added that he has had some social contact with the appointee having visited in his home on two or three occasions where he met his wife and son, about seven or eight years old. Mr. MEEKER stated he considers the appointee to be a person of fine character, high integrity and completely loyal to the U. S. Government. He related further he is aware of nothing adversely concerning the appointee and would recommend him unreservedly for a position of utmost trust and confidence.

[redacted], Department of State, stated he met Mr. FENSTERWALD around 1950 professionally,

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as a fellow employee in the Department of State. He related that the appointee was held in high respect by his associates in the Department and considered him to be one of the ablest men in their legal office. [] stated he was acquainted with Mr. FENSTERWALD in a slight social way through functions of the Department and had met his wife. He further advised that he found the appointee to possess good judgment and to be completely honest and discreet.

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[] related that to the best of his knowledge Mr. FENSTERWALD is completely loyal to the United States and was aware of nothing adversely concerning him. He added he would gladly recommend Mr. FENSTERWALD for a position of trust and confidence. [] related that since the appointee left the Department of State he has seen him occasionally on a visit to their office. He added that Mrs. FENSTERWALD impressed him as being a stable and respectable woman.

Mr. RAYMOND T. YINGLING, Assistant Legal Adviser for Special Functional Problems, stated he was acquainted with the appointee during most of FENSTERWALD's employment in their Department. He related during this period he had some business contacts with Mr. FENSTERWALD where both had mutual interest in certain problems. Mr. YINGLING advised that the appointee impressed him as being a bright young man with good legal talent. He further advised he could speak only favorably concerning the appointee's character, reputation, personal integrity and loyalty to the U. S. Mr. YINGLING further stated he would have no hesitation in recommending Mr. FENSTERWALD for a trustworthy and confidential position. ✓

[]
[] stated he became officially acquainted with Mr. FENSTERWALD shortly after the latter became appointed to the Department of State in 1950. He advised that he worked directly with the appointee in connection with the Bricker Amendments and in this regard found him to be a very able and competent attorney. [] related he had a limited social contact with the appointee at certain office functions and on such occasions had a chance to meet his wife. He further advised that he regards Mr. FENSTERWALD as a man of sterling character and reputation and completely loyal to the U. S. and its government. [] stated he knows of nothing detrimental concerning the appointee or his wife and would have no hesitation in endorsing him for a position of utmost confidence. ✓

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Mr. BENEDICT M. ENGLISH, Legal Adviser for International Claims, advised he was officially acquainted with the appointee during the latter's employment in the Department of State and for a period of about nine months or more during 1953-1954 when he (ENGLISH) was Acting Deputy Legal Adviser for the Department, maintained a close working contact with Mr. FENSTERWALD. He stated that the appointee impressed him as being a very competent individual with ability and good judgment. Mr. ENGLISH stated Mr. FENSTERWALD exhibited good character traits and that his legal and moral conduct in the office was excellent. He added that he was aware of nothing unfavorable concerning the appointee and would not hesitate to recommend him for a position of trust and confidence. ✓

EDUCATION

On February 27, 1959, Mrs. J. FLYNN, Secretary to the Dean, School of Advanced International Studies, made available the appointee's record which reflected that he entered that school on January 29, 1946, and was awarded a Master of Arts Degree on June 3, 1950. The record was satisfactory and no additional pertinent information was noted. Mrs. FLYNN advised that due to the lapse of time, no one associated with the school would recall the appointee.

REFERENCES

On March 3, 1959, ADRIAN FISHER, General Counsel and Vice President, Washington Post and Times Herald, advised SA ERTZINGER that he has known the appointee since 1950. He stated he personally hired the appointee at the Department of State in 1950 and was his superior there for two years. He said he also knew the appointee's family in Nashville, Tennessee, through his wife (Mrs. FISHER). He described the appointee's character, reputation, associates, and loyalty as all being good. He said the appointee is a very capable person and entirely loyal. He indicated he would rehire the appointee if he had the opportunity and would recommend him most favorably. ✓

U. S. Senator ESTES KEFAUVER advised SA ERTZINGER on February 27, 1959, that he has known the appointee approximately eight years; first in connection with his duties at the Department of State, and later through his work on the Bricker Amendment in Senator HENNING's office.

~~CONFIDENTIAL~~

~~CONFIDENTIAL~~

He described him as a bright and able young man whose character, associates, reputation and loyalty were satisfactory in every respect. He stated he has recommended him for his present position and would not hesitate to recommend him for any sensitive position with the Government.

On March 6, 1959, Dr. HALFORD E. HOSKINS, formerly associated with the School of Advanced International Studies, who was listed by the appointee as a reference in 1949, advised SA ERTZINGER that he is unable to recall the appointee although he probably had been one of his students. He added he was certain there was nothing unfavorable concerning the appointee or he would have had a better recollection of him.

Numerous and repeated efforts to contact Mr. MILTON STARR, listed as a reference by the appointee in 1949, were met with negative results.

RESIDENCE

On February 26, 1959, [redacted] Arlington, Virginia, advised SA [redacted] that she has resided there eight years and that the appointee and his wife moved into their home at 851 North Lexington Street, Arlington, Virginia, seven years ago. She stated that in addition to the appointee his family consisted of his wife and eight year old son, [redacted] continued that she regarded the appointee and his family as wonderful neighbors and vouched for their character, associates, reputation and loyalty. She further pointed out she would have no hesitation in recommending the appointee for a sensitive position with the Government. ✓

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[redacted] also advised that the appointee and his family resided in England for approximately one year while the appointee was attending a university there.

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On February 27, 1959, [redacted] Arlington, Virginia, located [redacted] the appointee's house, advised SA [redacted] she has known the appointee and his family as friends and neighbors for six and one-half years. [redacted] Arlington, Virginia, advised SA [redacted] on the same date that she has known the appointee ✓

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b7C~~CONFIDENTIAL~~

~~CONFIDENTIAL~~

WFO 77-29779

and his family for four years. Both [] and [] furnished substantially the same information as [] and also recommended the appointee for a sensitive position with the Government.

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CREDIT AND POLICE AGENCIES

The records of the D. C. Credit Bureau, Incorporated, Washington, D. C., as reviewed on February 26, 1959, by SE [] did not reflect any additional pertinent information concerning the appointee or his wife, ELIZABETH FENSTERWALD.

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No record was located concerning the appointee or his wife in the files of the Metropolitan Police Department as reviewed on February 26 and March 2, 1959, by SE []; at all times an indefinite number of unidentified records are out of file and not available for review.

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The records of the U. S. Park Police, as caused to be searched on February 26 and March 2, 1959, by IC [] did not reflect any information concerning the appointee or his wife.

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The records of the Arlington County, Virginia, Police Department, as caused to be searched on March 2, 1959, by SE [] did not reflect any information concerning the appointee's wife. A record was located for one BERNARD FENSTERWALD, JR., 851 North Lexington Street, Arlington, Virginia, reflecting that on January 20, 1952, he was cited for traveling 45 miles per hour in a 25 miles per hour zone for which he was assessed fine and costs of \$10.

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MISCELLANEOUS

The records of the Investigations Division, Civil Service, Commission, as reviewed on March 2, 1959, did not reflect any additional pertinent information concerning the appointee.

No record was located concerning the appointee in the files of the House Committee on Un-American Activities, reviewed on February 26, 1959, by IC []

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On February 26, 1959, SE [] reviewed the U. S. Navy Officer Record of BERNARD FENSTERWALD, JR., which reflected that on January 1, 1951, he was transferred

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~~CONFIDENTIAL~~

WFO 77-29779

to the U. S. Naval Reserve Officer Inactive-Status List as a Lieutenant. As of November 12, 1954, the record reflects he was married and had one child, name not shown. As of January 29, 1958, he was a Lieutenant in the U. S. Naval Reserve on the Officer Inactive-Status List.

No additional efficiency reports were contained in the record since last reviewed. No additional pertinent information was contained in the record.

The investigative file, maintained by the Security Office, Department of State, concerning the appointee, reviewed on March 3, 1959, did not reflect any additional pertinent information.

On February 26, 1959, Mrs. RUTH DUFFEY, Lawyers' Register, U. S. District Court for the District of Columbia, advised that her records reflected the appointee was admitted on June 19, 1953. No additional pertinent information was available.

No additional pertinent information was located in the records of the Committee on Admissions and Grievances, U. S. District Court for the District of Columbia, as reviewed on February 26, 1959.

On February 27, 1959, Miss JANE WHEATLEY, Secretary, Bar Association for Washington, D. C., advised she could locate no record concerning the appointee.

Mr. D. J. HENSLEY, Office of Security Service, Office of the Secretary of Defense, made available to SA EDGAR L. CARTER on March 5, 1959, a file relating to the appointee which contained a memorandum dated August 30, 1957, reflecting that the appointee was to be an official U. S. Government Observer at the "GIRARD Trial" in Japan. Mr. HENSLEY advised that the appointee was issued a secret clearance by the Office of the Secretary of Defense on August 20, 1957. No additional pertinent information was contained in the file and the appointee was never employed by the Office of the Secretary of Defense.

The files of the Passport Office, Department of State, reviewed on March 6, 1959, by SE [REDACTED] reflected that BERNARD FENSTERWALD, JR., was issued Passport #73365 on May 14, 1946, for proposed six months travel to Mexico, Guatemala, Nicaragua, Honduras and Costa Rica. A

~~CONFIDENTIAL~~

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~~CONFIDENTIAL~~
WFO 77-29779

photostatic copy of a birth certificate in the files substantiated the birth data given.

He was issued Passport #451152 on August 4, 1954, for a proposed two years travel to England and trips to various countries in Western Europe. The purpose of his trip was listed as "Education at University of Cambridge and possible tours of duty on orders of Legal Adviser of Department of State on leave of absence."

He was issued Special Passport #133454 on August 14, 1957, for proposed two weeks travel to Japan as an official U. S. Government observer at the GIRARD trial.

On August 13, 1958, he was issued Passport #1186011 for proposed six weeks pleasure travel to Ireland, Wales, England, and France.

There is a notation in the files that he was included on a passport issued to his father in approximately 1936; however, this applicant^{1/2} was not located.

No additional pertinent information was contained in the files.

WF T-1 advised on February 21, 1956, that



NY T-1 advised that Mrs. BERNARD FENSTERWALD and son were departing the United States on Scandinavian Airlines System Flight 904 on June 23, 1956, for the Soviet Union. (U)



UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

In Reply, Please Refer to
File No. 77-29779

WASHINGTON 25, D. C.
March 10, 1959

BERNARD FENSTERWALD, JR.
SPECIAL INQUIRY
SENATE JUDICIARY COMMITTEE

WF T-1, mentioned in the report of Special Agent
[redacted], dated and captioned as above, has
furnished reliable information in the past. ~~Scu~~

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b7C

This memorandum is loaned to you by the Federal
Bureau of Investigation and neither it nor its contents
are to be distributed outside the agency to which loaned.

DECODED COPY

John

Mr. Tolson _____
 Mr. Belmont _____
 Mr. Mohr _____
 Mr. Nease _____
 Mr. Parsons _____
 Mr. Rosen _____
 Mr. Tamm _____
 Mr. Trotter _____
 Mr. W.C. Sullivan _____
 Tele. Room _____
 Mr. Holloman _____
 Miss Gandy _____

☒ **Radio**

☐ **Teletype**

DEFERRED 3-10-59

TO DIRECTOR AND SAC, WASHINGTON FIELD

FROM SAC, BOSTON 101420

BERNARD FENSTERWALD JR, SPI. RE ST. LOUIS AIRTEL TO WFO
 MARCH 2 LAST. BUDED MARCH 9 NEXT. SECRETARY TO DR. WILLIAM
 Y. ELLIOTT, HARVARD UNIVERSITY, REQUESTED THAT BY REASON OF
 HEAVY SCHEDULE AND TRAVEL STATUS, THAT DR. ELLIOTT BE
 CONTACTED AT HIS OFFICE, ROOM 5150, NEW STATE DEPARTMENT BLDG.,
 WASHINGTON, D.C., WHERE HE WILL BE MARCH 12 AND 13 NEXT.
 WFO HANDLE RUC.

RECEIVED: 10:01 AM RADIO

10:27 AM CODING UNIT HL

2 - CC WASHINGTON FIELD

ALL INFORMATION CONTAINED
 HEREIN IS UNCLASSIFIED

DATE 8/5/94 BY 5668-SW/dmj

NOT RECORDED

174 APR 7 1959

F B I

Date: 3/12/59

Transmit the following in _____

(Type in plain text or code)

Via AIRTEL

(Priority or Method of Mailing)

TO: DIRECTOR, FBI

FROM: SAC, NEW YORK (77-24472)

SUBJECT: BERNARD FENSTERWALD, JR.
SPI
Senate Judiciary Committee
Buded 3/9/59

Re WFO airtel to NY, 3/9/59.

Above airtel referred to NY let to Bureau dated 7/1/56 entitled [redacted] which contained information furnished by [redacted]. Referenced airtel reflected that WFO would set forth information furnished by [redacted] and requested that NY furnish Bureau with documentation memo for [redacted]. (X) u

It is to be noted that [redacted] is current informant of NYO who has furnished reliable information in the past. He was not personally acquainted with the FENSTERWALDS and could furnish no additional information regarding them. (X) u

NYO unable to submit letterhead memorandum in this matter setting forth fact that informant has furnished reliable information in the past, inasmuch as WFO did not indicate what T symbol they were using in their report.

No further action being taken in this matter by NYO and no report being submitted. RUC

3-Bureau
1-WFO (77-29779)(Info)
1-New York (77-24472)

(6)
AWW:ahd

CLASSIFIED AND
EXTENDED BY SP2HAP/CC/ML
REASON FOR EXTENSION 213
FCIM, II, 1-2.4.2
DATE OF REVIEW FOR
DECLASSIFICATION 3-12-79
8-21-29

77-44206-31
NOT RECORDED
3 MAR 13 1959

APPROPRIATE AGENCIES

NOTIFIED OFFICES

APPROVED BY ROUTING

APPROVED (S) OF

DATE

Special Agent in Charge

Sent

Per

~~CONFIDENTIAL~~

b7D

b7E

b7D

F B I

Date: 3/13/59

Transmit the following in _____
(Type in plain text or code)Via AIRTEL _____
(Priority or Method of Mailing)

TO: DIRECTOR, FBI
FROM: SAC, WFO (77-29779)

BERNARD FENSTERWALD, JR.
SPI
SENATE JUDICIARY COMMITTEE

Re report SA [] dated 3/10/59, Boston
radiogram to Bureau 3/10/59, and my airtel 3/11/59.

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b7C

On 3/12/59, Dr. WILLIAM Y. ELLIOTT, Consultant,
Office of the Under Secretary, Department of State, advised
SA JOSEPH W. SPEICHER that he had known the appointee's
family in Nashville, Tennessee, for many years, but that he
had had very little personal contact with, or knowledge of,
the appointee himself. He stated that beyond saying that the
appointee came from a fine background and seemed to
properly reflect that background, he could not comment
further concerning him, since he knew him so slightly on
a personal basis.

Lead for ONI still outstanding.

3 - Bureau
1 - WFO
FJH:blb
(4)

AIRTEL

8/5/94 5660 SLD/amy

77-44206-32

NOT RECORDED

APR 14 1959

Approved: LUB

Special Agent in Charge

Sent _____ M Per _____

F B I

Date: 3/17/59

Transmit the following in _____
(Type in plain text or code)Via AIRTEL _____
(Priority or Method of Mailing)

TO: DIRECTOR, FBI
FROM: SAC, WFO (77-29779)

BERNARD FENSTERWALD, JR.
SPECIAL INQUIRY
SENATE JUDICIARY COMMITTEE

Re report SA [REDACTED], 3/10/59, and my
airtel 3/11/59.

No additional pertinent information ONI as caused
to be checked 3/16/59 by SE [REDACTED] RUC.

3 - Bureau
1 - WFO
FJH:blb
(4)

AIRTEL

b6
b7C

b6
b7C

77-44-206-33

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED

DATE 8/5/94 BY 5668 SLD/dmj

NOT RECORDED

23 MAR 17 1959

Approved: L. B. S.

Special Agent in Charge

Sent _____ M Per _____

Agree 5668 SLD/dmj 8/5/94
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 6-21-79 BY SP-27AP/CAL

March 20, 1959

BY COURIER SERVICE

Honorable James O. Eastland
Chairman
Committee on the Judiciary
United States Senate
Washington, D. C.

My dear Mr. Chairman:

In accordance with the request contained in your letter dated February 18, 1959, an investigation has been conducted by this Bureau concerning Bernard Fensterwald, Jr.

There is enclosed for your information a summary memorandum pertaining to Mr. Fensterwald.

An applicant-type investigation concerning Mr. Fensterwald was conducted by this Bureau in 1949. The information set forth in the enclosed summary memorandum was obtained during the 1949 investigation and during the current inquiries.

During the current investigation of Mr. Fensterwald the files of one governmental agency* were temporarily unavailable for review. When these files are available and have been reviewed, you will be advised of any pertinent information located.

REC-9

Please be advised that the investigations of Mr. Fensterwald covered inquiries concerning his character, loyalty and general standing, but no inquiries were made concerning the sources of his income.

25 APR 8 1959

Sincerely yours,

Tolson _____
Boardman _____
Belmont _____
Mohr _____
Nease _____
Parsons _____
Rosen _____
Tamm _____
Trotter _____
W.C. Sullivan _____
Tele. Room _____
Holloman _____
DeLoach _____
McGuire _____

Enclosure

* ONI
PFT:bhg:fjj
(6)

MAIL ROOM ☐

TELETYPE UNIT ☐

See Note Page Two.

SEE REVERSE SIDE FOR
ADD. DISSEMINATION

NOTE:

Request received 2/20/59, by letter dated 2/18/59, from Senator Eastland to investigate Fensterwald, who is Chief Counsel, Senate Subcommittee on Constitutional Amendments. Fensterwald investigated in 1949 as Departmental applicant, attorney, Antitrust Division. That investigation as well as current inquiries highly favorable.

Fensterwald's mother and sister reportedly attended a meeting in 1942, Nashville, Tennessee, of the Southern Conference for Human Welfare, a cited organization. However, reliable sources have advised many prominent individuals attended this meeting because of its proposed purposes and due to the fact Mrs. Eleanor Roosevelt was to speak. Fensterwald and his mother took a trip to the Soviet Union in 1956; however, this trip reportedly made to satisfy intellectual curiosity of Fensterwald and his mother. All persons contacted during both investigations highly recommended Fensterwald as a competent attorney and a loyal American. They described all the members of his family as loyal Americans as well.

Copy of summary being sent to Senator Eastland only as this does not involve a Presidential appointment.

April 2, 1959

BY COURIER SERVICE

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 8/5/94 BY 5668 SLJ/dmj

Honorable James O. Eastland
Chairman
Committee on the Judiciary
United States Senate
Washington, D. C.

My dear Mr. Chairman:

Reference is made to my letter dated
March 20, 1959, enclosing a summary memorandum
pertaining to Mr. Bernard Fensterwald, Jr.

Please be advised that the files of
the Office of Naval Intelligence have now been
reviewed and no pertinent identifiable infor-
mation with reference to Mr. Fensterwald was
located.

This concludes the investigation of
Mr. Fensterwald.

Sincerely yours,
J. Edgar Hoover

BY COURIER SVC
13 APR 2
COMM-FBI

EX-135

REC-44

77-44206-35
APR 2 1959
5 15 PM '59

- Tolson
- Boardman
- Belmont
- Mohr
- Nease
- Parsons
- Rosen
- Tamm
- Trotter
- W.C. Sullivan
- Tele. Room
- Holloman
- Gandy
- DeLoach

66 APR 16 1959
PFT:bap
(6)

MAIL ROOM ☐ TELETYPE UNIT ☐

UNITED STATES GOVERNMENT

Memorandum

~~CONFIDENTIAL~~

Tolson _____
Belmont _____
Mohr _____
DeLoach _____
Casper _____
Callahan _____
Conrad _____
Evans _____
Gale _____
Rosen _____
Sullivan _____
Tavel _____
Trotter _____
Tele. Room _____
Holmes _____
Gandy _____

TO : Mr. Evans

DATE: October 27, 1964

FROM : T. J. McAndrews

DECLASSIFIED BY 5668 SLD/amy
ON 8/5/94

SUBJECT: BERNARD FENSTERWALD, JR.
CHIEF COUNSEL
SUBCOMMITTEE ON ADMINISTRATIVE
PRACTICE AND PROCEDURES (LONG COMMITTEE)
SENATE JUDICIARY COMMITTEE

The captioned individual is Chief Counsel of the Senate Subcommittee on Administrative Practice and Procedures, which is headed by Senator Edward V. Long (Democrat - Missouri). This Subcommittee is currently conducting an inquiry into the extent of wire tapping being practiced by agencies and departments of the Government.

Over the past weekend, I had occasion to be with [redacted]

[redacted] who furnished the following information on an extremely confidential basis. [redacted]

[redacted]

[redacted]

- Enc. 1 ENCLOSURE
- 1 - Mr. Belmont
 - 1 - Mr. DeLoach
 - 1 - Mr. Rosen
 - 1 - Mr. Sullivan
 - 1 - Mr. Mohr
 - 1 - Mr. Conrad
 - 1 - Mr. Evans
 - 1 - Mr. McAndrews
- McA:rap (9)

REC-107
EX-100

77-44206-36

CLASSIFIED AND EXTENDED BY SP2+APC/ghl
REASON FOR EXTENSION FCIM, II, 1-2.4.2.243
DATE OF REVIEW FOR DECLASSIFICATION 10-27-84
8/21-75

NOV 4 1964

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b6
b7C
b7D

Memorandum to Mr. Evans
Re: Bernard Fensterwald, Jr.

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b7D

Background Concerning Bernard Fensterwald, Jr.

For your information there is attached a summary prepared concerning applicant-type investigations conducted by the Bureau on Fensterwald in 1949 and 1959. While generally favorable, this summary does indicate that the names of Mr. Fensterwald's mother and sister appeared on a list of delegates and members of the Southern Conference for Human Welfare (a cited organization) at a meeting held from April 19 through 21, 1942, in Nashville, Tennessee. Inquiry revealed that many leading citizens of Nashville had been approached concerning this meeting, which was to be addressed by Mrs. Eleanor Roosevelt, and that many people attended the meeting for that reason alone.

Fensterwald and his mother travelled to the Soviet Union on June 23, 1956, for a three-week vacation visit, which was to cover Moscow, Stalingrad, Rostov, Kiev and Leningrad. At that time Fensterwald was employed as a lawyer by the U. S. Department of State. *u*

In a memorandum dated May 28, 1953, information was set forth indicating that Fensterwald, then employed by the Senate Subcommittee on Constitutional Rights (Henning Committee), was involved in a request to the Bureau from this Subcommittee for a list of instances wherein we had furnished information to members of Congress. Former Assistant to the Director Nichols talked to Senator Henning in Fensterwald's presence, and Senator Henning advised that Fensterwald's request to the Bureau had been improper and the Senator offered his apologies. It was reported that Fensterwald since that occasion had gone out of his way to be helpful to the Bureau. A notation by former Inspector Gordon Neese on this memorandum, "The worm seems to have turned," prompted the Director to note "Either that or he fooled Nichols. H."

Fensterwald was born August 2, 1921, in Nashville, Tennessee; has a Bachelor of Science and Bachelor of Law degree from Harvard University and has studied at the School of Advanced International Studies, Washington, D. C., and at Cambridge University, Cambridge, England. During World War II he served as a lieutenant in the U. S. Navy and has been employed since then as an attorney for the Department of State and as Administrative Assistant and Chief Counsel to U. S. Senate Subcommittee on Constitutional Amendments and his present position with the Senate Subcommittee on Administrative Practice and Procedures.

Memorandum to Mr. Evans
Re: Bernard Fensterwald, Jr.

It is noted that in August, 1964, Fensterwald obtained Senator Eastland's approval for the distribution of an 11-page questionnaire relating to invasions of privacy. This questionnaire was designed to seek information from Government agencies concerning invasions of privacy by use of the telephone system, electronic devices, photographic equipment, polygraph equipment, mail covers, one-way glass and related matters. This inquiry is being handled by a subcommittee of the Senate Judiciary Committee of which Senator Eastland is Chairman.

Mr. DeLoach discussed this matter with Senator Eastland at the time the questionnaire was being prepared for distribution and ascertained from Senator Eastland that the Bureau was specifically exempt from this inquiry. In addition, Senator Eastland pointed out that he is in full control of the activities of the Senate subcommittee and that all actions of this subcommittee would necessarily have to be approved by him. As a result, he was able to give his assurances that the Bureau would not become involved in this inquiry.

ACTION

[redacted] will keep the Bureau currently informed of all pertinent developments concerning [redacted] and should the Bureau desire to make any suggestions in this regard, he will be most receptive to them.

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The Crime Records Division, which is cognizant of the Subcommittee's investigations, should be alert to any information indicating that the inquiry of the Subcommittee on Administrative Practice and Procedures is to be expanded and pointed at the FBI.

[Handwritten signatures and initials]

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. DeLoach

DATE: 12-20-65

FROM : M. A. Jones

SUBJECT: "THE NATION" MAGAZINE
ARTICLE CONCERNING SENATE
COMMITTEE ON ADMINISTRATIVE
PRACTICE AND PROCEDURE
SENATOR EDWARD V. LONG (D - MO.)
CHAIRMAN, 12-20-65

Tolson _____
DeLoach _____
Mohr _____
Casper _____
Callahan _____
Conrad _____
Felt _____
Gale _____
Rosen _____
Sullivan _____
Tavel _____
Trotter _____
Tele. Room _____
Holmes _____
Gandy _____

The December 20, 1965, issue of "The Nation" magazine contains an article by Fred J. Cook entitled "Snoopers and Tappers--Law-Enforcement Underground" (attached).

This article is typical of the writings of Fred J. Cook and takes to task the Internal Revenue Service and the Post Office Department. He also refers to the testimony taken by Senator Long's Committee in Kansas City, Missouri, implicating the FBI in wire tapping in connection with gambling activities. He pointed out that although the Director of the FBI has insisted for years that it taps only in national security cases and then only on instructions from the Attorney General, it was revealed that the FBI had been tapping all over Kansas City in its drive on gamblers.

It is quite apparent from the article that Chief Counsel Bernard Fensterwald, Jr., of the Committee furnished Cook information for his article. Fensterwald is quoted several times in the article and his statements are typical of the utterances which he has made during the life of this Committee and certainly do no service to the United States. On one occasion, he is quoted as saying, "The thing that has impressed me most is the ease with which federal agents can lie under oath."

The article is typical of the material published in "The Nation" 1966 magazine and is nothing more than another attempt on the part of Fensterwald to degrade Federal law enforcement and gain publicity for himself. The character of Fensterwald certainly matches the character of "The Nation" magazine.

RECOMMENDATION: For information

Enclosure

57 JAN 18 1966
1 - Mr. DeLoach
1 - Mr. Gale

1 - Mr. Rosen
1 - Mr. Sullivan

TBC:smg (7)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 8/5/94 BY 5668 SLD/dmj

NOT RECORDED

Snoopers & Tappers

Law-Enforcement Underground . . . Fred J. Cook

In the office of Bernard Fensterwald, Jr., chief counsel for Sen. Edward V. Long's investigation into the invasion of privacy, there hangs a framed placard that was discovered by committee field men in the Bell Telephone Laboratories in New Jersey. On the left-hand side of this expressive poster there is the large replica of a telephone with dangling receiver (it has obviously just been lifted off the hook), and alongside runs this large-type injunction:

"Remember . . .

NO CLASSIFIED CONVERSATIONS."

When Bell Telephone finds it necessary to advise its employees to beware of its own most hallowed device, Big Brother has indeed moved into our lives. Just how various and unprincipled is that invasion Senator Long's investigation is steadily documenting. It is uncovering a world dedicated to the proposition that power provides its own justification.

Devotion to the theology of power is producing many weird manifestations. Fensterwald and Senator Long were shocked when the Secretary of the Treasury refused to let them question certain Internal Revenue agents. For the first time in history, as far as Fensterwald could determine, it became necessary for a Congressional committee to subpoena federal

agents to get them to testify — and even then testimony at times flew in the face of truth. Almost every phase of the investigation has been marked by the obvious determination of government employees on the witness stand to uphold departmental policy and deeds at any cost. "The thing that has impressed me most," says Fensterwald, "is the ease with which federal agents can lie under oath."

The imperviousness of agents to any consideration except the demands made upon them by their bureaucratic superiors runs like a police-state theme song through the testimony of witness after witness. Senator Long points out that many revenue agents got permission, and sometimes the help of specialists, to install wire taps on the phones of suspects from the office of the deputy chief of Intelligence in the Internal Revenue Service.

Yet the deputy chief's records gave no indication of such activity. Asked why, the deputy chief replied, "if I had kept a record for any of my superiors, if I had asked them, they would have said, 'You know the regulations, *anybody who does this is on his own.*'" The deputy chief explained that his superiors knew the wire tapping was going on, that they even discussed it from time to time, "particularly when we got caught." Describing this testimony in *The Saturday Evening Post*, Senator Long commented: "What a remarkable code of conduct for 'devoted and courageous' law-enforcement officers

—go ahead and break the law, but don't get caught!"

The police-state mentality that infects so many federal agents showed perhaps most clearly in the committee's Miami hearings. Questioning an IRS agent, Senator Long asked whether he would break a state law if ordered to do so by his superiors. Without hesitation, the agent answered, "Yes, sir." Didn't he realize, Long wanted to know, that the essence of a police state was for an officer to violate the law on the pretext of enforcing it? "That may be the basis of a police state; I do not know," the agent answered—and it was obvious to Senator Long that he didn't care. All that mattered was that his orders should be carried out.

This "super gung-ho attitude," as Fensterwald calls it, produces results with shocking overtones. In one Boston case, Jack Harris, an Internal Revenue Service undercover man, was indicted in a \$1,500 bribery case and suspended. Enraged by what he claimed was a frame-up, he came to the committee and spilled a lot of details about investigations carried out by the Boston IRS office. His principal tale dealt with surveillance of one Bernard McGarry, a Milton, Mass., tavern owner.

As Harris later testified before the committee, McGarry had a hostile neighbor who made his barn available to the revenue sleuths. The agents set up a lookout station in the barn loft, and with snooper-

Fred J. Cook is the author of many important special articles for The Nation.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 8/5/94 BY 5668 SLD/mj

*James H. Blasek
mem 12-17-65*

THE NATION MAGAZINE
DECEMBER 20, 1965
Page 496

~~ENCLOSURE~~

ENCLOSURE

77-443 31

scopes and other long-range devices kept the McGarry home under constant observation. According to Harris, they even watched Mrs. McGarry as she took a sun bath. The IRS agents had learned that the McGarrys had a large vault in the basement; and when they saw from the barn loft that the whole family was absent, Harris entered the house and padded downstairs to the vault.

Instead of a cache of illicit loot which the revenue boys had hoped to find, Harris discovered that the vault was unlocked and was being

used for nothing more nefarious than the storage of the family's coats and fur pieces. He dutifully copied down the names of the clothiers and furriers on the labels and left the premises little wiser than he came.

He had, of course, fractured the law by this unauthorized entry into what is supposed to be a man's castle, and his account of the exploit threw IRS into a tizzy. Harris' boss at the time, Robert Ferrick, acknowledged that the McGarry home had been kept under observation from the barn loft—

but only, he insisted, to read the license numbers of cars coming to the house, not to observe a lady sun-bathing. There had never, never been such an episode as the illegal entry and snooping Harris had described.

This was a head-on collision of testimony, and the committee never could determine the truth though there were some indications as to where it might lie. "There was one part of the undercover man's story that seemed to check out," Fensterwald says. "We learned that IRS had contacted the furriers and clothiers whose names appeared on the labels in an attempt to find out how much the McGarry family spent for clothing. And then there was one other thing. . . ." To wit:

Harris, in his testimony, had told the committee that, when he entered the McGarry home, another IRS agent had been stationed outside, patrolling the street in a radio car and keeping in constant two-way contact to guard against a surprise return home by the family. Fensterwald promptly demanded that the IRS produce this witness, John Crowe. The next day, the service complied, but Fensterwald was shocked by the appearance of the man when he was summoned to the stand.

"His face was flushed as if the blood was about to pop through the skin," Fensterwald recalls. "And as he testified, his head kept lolling back as if he was about to pass out on the witness stand. I made up my mind to get him off the stand as quickly as possible and so I asked him only the most essential questions."

Under these circumstances, Crowe promptly upheld his supervisor, Ferrick. Harris had been wrong, he said. No revenue agent had ever entered the McGarry home. Fensterwald was about to excuse this obviously ill witness when he received an anonymous note from the audience: "Ask him if he's under house arrest."

Fensterwald shakes his head at the recollection. "Well, one thing I've learned in this investigation," he says, "is not to disregard such tips—too many of them have panned out." So he turned back to the witness stand and demanded: "Are you under house arrest?" Crowe sat there silent, obviously stunned by the question.



"He was mute for a good half minute," Fensterwald recalls, "then he shook his head and muttered weakly, 'No, I wouldn't say so.' His manner clearly swore at the answer he gave and convinced me that he was under house arrest."

Not daring to cross-examine Crowe the way he would a healthy witness, Fensterwald excused him, but he determined to delve into this new aspect of the case. "We learned," he says, "that this man had been flown down to Washington under guard; he had been kept under guard in his hotel room; he had been conducted to the hearing under guard by a man who denied he was armed, but who exhibited a mighty suspicious bulge under his jacket."

After the hearing, Crowe tried on a couple of occasions to approach some of Fensterwald's investigators. "But he could never get the chance," Fensterwald says. "Every time he approached one of our people, the guard came up and broke it off."

Fensterwald protested to IRS about forcing a man so obviously ill to take the witness stand; he made it clear he wouldn't have called Crowe if he had known about his precarious physical condition. Oh, think nothing of it, IRS replied; Crowe wasn't seriously ill, he just had a little upset stomach. A few weeks later, Crowe died of a heart attack.

Everywhere Senator Long's committee has turned, it has come across the dinosaur tracks of Big Brother. Invasions of privacy, it has established, are legion and permit the average American almost no security of thought or communication. But to get the truth about such snooping and prying has often proved infinitely difficult. Take, for example, the behavior of the Post Office Department.

The committee was greatly interested in the process known as the "mail cover." Under the buddy-buddy system that exists among federal agencies, the Federal Bureau of Investigation or the Internal Revenue or any one of a half dozen other bureaus may ask the Post Office to keep watch on the mail of a suspect or of his family and associates, and the request will be honored on the supposition that the purpose, considering the source, is valid. In theory, the Post Office is only of what

appears on the outside of letters—details like the names and addresses of correspondents and the origin of the mail. Fugitives from justice are sometimes tracked in this way when they try to get in touch with relatives, and in such cases legitimate ends may be served. But even then, according to stated policy, the contents of the envelope are kept inviolate.

This picture of a scrupulous department zealously guarding our rights while it indulges in only the most necessary snooping against persons involved in actual crimes was fed to the committee on February 23, 1965, the day after George Washington's birthday, by Chief Postal Inspector Henry B. Montague. "The seal on a first-class piece of mail is sacred," Montague intoned in a carefully prepared statement. "When a person puts first-class postage on a piece of mail and seals it, he can be sure that the contents of that piece of mail are secure against illegal search and seizure. The only time first-class mail may be opened in the postal service is when it can neither be delivered as addressed nor returned to sender. Then, it is treated by trusted employees in the dead-letter office to determine whether it contains any information to establish ownership. . . . *Mail is neither delayed nor opened. . . . Citizens must have confidence in their mail system or they lose it in other governmental institutions.*" (Italics added.)

Montague acknowledged that the postal form on which the details of the mail cover were recorded was to be destroyed after the deed was done, but he saw nothing wrong in that. Surveillance is a very secretive business, and you just naturally don't leave anything lying around that might indicate to the object of your attention that he has been watched. Fensterwald noted that the form also contained space for recording detail on second-, third- and fourth-class mail, all types that can be appropriately opened for postal inspection, and wondered if perhaps inspectors ever pried into such envelopes.

FENSTERWALD: In the case of a mail cover do you ever examine mail which you legally have the right to examine?

MONTAGUE: No.

FENSTERWALD: You have every right to open second-, third- or fourth-class mail, don't you?

MONTAGUE: That is for postal inspection, yes.

FENSTERWALD: And never, in connection with a mail cover, do you open such mail?

MONTAGUE: Not in connection with a mail cover, no.

The committee was suspicious, but on March 1, Postmaster General John A. Gronouski wrote Senator Long explicitly: "The mail is neither delayed nor opened, and the contents of first-class mail are *not* examined in connection with a mail cover." The Postmaster General italicized that "not."

By April 13, these positive and explicit assurances from the highest Post Office officials had acquired a decidedly tarnished look. On that date, Rep. Durward G. Hall, of Missouri, appeared before the committee and testified that first-class mail was indeed being opened. He had received a complaint from a constituent, the Congressman said; and though he couldn't believe it, he knew the complainant as a responsible individual. So he checked with both the Post Office Department and Internal Revenue. He was assured at first, as the committee had been assured, that no such thing could ever happen. Pinning the departments down to the one specific case, the Congressman asked them to put their denials in writing—and suddenly he encountered a strange shyness toward the printed word. It developed that there was, indeed, a procedure by which the sanctity of first-class mail was being violated. In cases where Internal Revenue had secured tax liens against defaulting taxpayers, first-class mail was being delivered by the Post Office to IRS and was being opened by IRS agents to see whether it contained assets or clues to assets. Just how widespread was this practice? Representative Hall discovered that no one seemed really to know. He testified:

The Post Office Department advises me that since December of 1962 there have been fourteen such seizures. The Internal Revenue Commissioner, on the other hand, advised me on Friday of last week that there had been thirty seizures since December of 1962 as far as their national office knows. . . . Nor is this the only conflict. Once the hand is caught in the cookie jar, the contradictions multiply.

On Friday of last week, four days after I advised the House of what was happening and moved for cor-

recter action on the annual appropriations bill, the Postmaster General is quoted as saying that he himself discovered the seizure of mail as long ago as last August, and he said he picked up the phone and agreed with Doug Dillon that it was a bad thing and we stopped it.

It is interesting to note that, first, the Postmaster General waited half a year to disclose this, and then only after someone else called attention to it.

But unexplained, and second, Mr. Chairman, is if the Postmaster General found out about this violation of the law as long ago as August of 1964, and ordered it stopped, how does it happen that the General Counsel advised me, in writing, that the last seizure, a specific instance, took place almost three months later on October 27, 1964?

And, one might feel impelled to ask, how did it happen that both Chief Inspector Montague and Postmaster General Gronouski were assuring Senator Long's committee, in the most explicit terms, in late February and early March, 1965, that first-class mail was always regarded as sacred and was not (the Postmaster General's italics) opened?

Chief Inspector Montague, who followed Representative Hall on the witness stand, had the unhappy task of trying to reconcile past pretenses with present disclosure. It went like this:

SENATOR LONG: Let me ask you, Mr. Montague, you have known for some time, of course, that the Internal Revenue Service did levy on mail—first-class mail of the citizens were opened by people other than the addressee?

MONTAGUE: I know that there was such a thing—I was aware that there was such a thing as a levy on mail; yes, sir.

SENATOR LONG: How long have you been aware of that, Mr. Montague?

MONTAGUE: I think that I first became aware of it back in—I don't know, 1962 or 1963.

SENATOR LONG: Were you aware of that when you testified before our committee some weeks ago?

MONTAGUE: It did not come to my mind, but I did know there is such a thing as a mail levy, yes. (Emphasis added.)

Montague conceded that the department knew of thirty-four cases in which mail had been opened and examined by Internal Revenue agents being forwarded to the recipient, but he argued that "levies" sent from the "mail" had been disclosed in

his previous testimony; that the Post Office's legal brains had assured him levies were legal, not illegal, and he had been dealing in his testimony only with "illegal" practices. Senator Long, exasperated by what he called this quibbling with terms when the truth had been one thing and the initial pretense virtually the opposite, finally snapped: "The further we get into this investigation, the more I am impressed with the idea that the Post Office should deliver the mail and not pry into it."

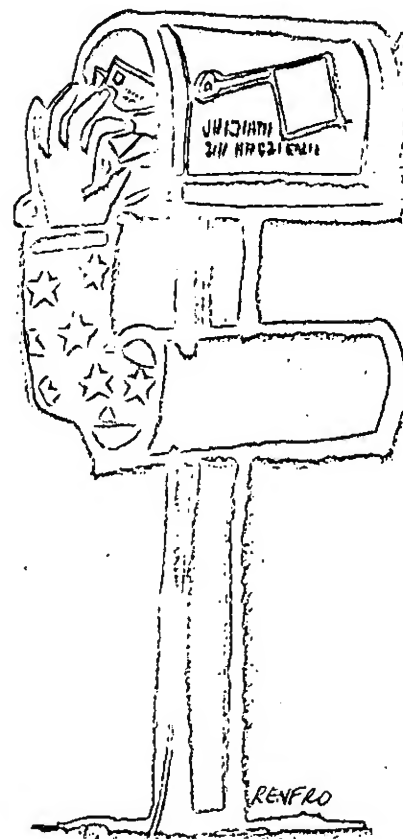
Hardly anyone believed that the full story had been told or that the only mail being opened was that "levied" upon by Internal Revenue. Fensterwald's investigators privately developed quite a dossier on things that can happen to the mail—and presumably do. Penetrating solutions can be rubbed on the back of envelope flaps to loosen the gum and enable a snooper to open a letter without trace. One of the best methods, Fensterwald says, is still the old one of steaming open the flap. Another simple way of spying is to immerse a letter in a solution of cleaning fluid. This brings up the contents, but one must be careful not to wiggle the letter around in the solution lest the envelope become softened and messed up. A much more sophisticated method borrows a device from the medical laboratory, the cystoscope. Insert one end of this pencil-thin instrument under the flap of a letter, switch on the cystoscope's powerful light, and you are examining in great detail not the human bladder but the contents of "sacred" first-class mail.

How widely are these methods used? That question the committee has not yet answered and perhaps can never answer. Representative Hall testified that he had some information that the Post Office Department was tampering with mail other than that "levied" upon by Internal Revenue, but he had not yet been able to verify his information.

Verification is, of course, extremely difficult. One may see, as I have, first-class mail arriving at his home mysteriously unsealed—and third- or fourth-class mail showing up with flaps ripped apart, sometimes so badly that it seems likely some of the contents have been lost—but how is one going to prove that this was done deliberately by the

snooper's paw? All that can be said is that a lot of detectives and knowledgeable persons in other walks of life today distrust the mails—and the patent evasions of the highest officials of the Post Office Department before Senator Long's committee did nothing to bolster confidence.

It must not be supposed that such activities are confined to the Post Office and the Bureau of Internal Revenue. No one has yet



compiled a definitive list of all the federal agencies engaged in prying into the private affairs of citizens, but even the skimpiest survey shows that it must be an unholy lot. What the military and such super-secret outfits as the Central Intelligence Agency are up to, no one knows, for they are all wrapped in the cocoon of national security. A former military intelligence agent has recently revealed on nation-wide television that the hotel rooms of Mrs. Eleanor Roosevelt were bugged every time she visited Chicago during World War II.

Mrs. Roosevelt maintained contact with a lot of labor and liberal leaders—and that, apparently, was

caper, he declared, "I had the ice order" to run a connecting line into Kansas City FBI headquarters.

With the sanctity of telephone lines being violated at the merest nod of an official head, the inevitable has happened: a general impression has been fostered that there isn't anything much wrong with the game and that everybody might as well get into it. Private detectives in Kansas City joined in the wire tapping free-for-all and quickly learned that they could get all the information they needed by bribing telephone company employees. George W. Robinson, one of the local private eyes, told the Long committee frankly that he had tapped telephone lines, and said that he always got the necessary information about the number of the "pairs" and the location of the terminal box from a confederate inside the company.

FENSTERWALD: Did you have to pay for them?

ROBINSON: I have.

FENSTERWALD: Could you tell me what the going rate is?

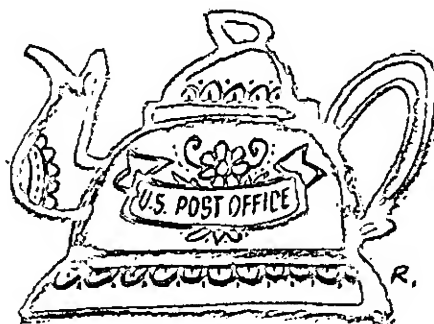
ROBINSON: In the vicinity of between \$50 and \$100; it all depends on the man's attitude when you make the contact.

When the rampant wire tapping of Kansas City became known, the man on the spot was the telephone official who had authorized so much of it. He was Arthur S. Brewster, a lawyer and the division security supervisor for Southwestern Bell (his primary responsibility, as he himself described it, was to make certain of the security of company property and service, including the privacy of customers). He testified, however, that he had worked hand in glove with the FBI "ever since I have been in this job." Senator Long wanted to know if tapping didn't raise "some question about the invasion of privacy and the violation of the constitutional rights of any citizen that any agent might point his finger at." "I would assume that question could be raised," Brewster replied, almost primly.

The telephone company's man said that any time Chief of Detectives Newman or the FBI asked him to breach security, he cooperated, because he relied implicitly on their integrity. As for running special lines into FBI headquarters to facilitate the tapping, Brewster attempted to argue that this was a regular company service, advertised and

available to all comers. Senator Long hopped on the rationalization. Then, he demanded, the company would provide such accommodations for private detectives, wouldn't it? Oh, no, said Brewster, obviously horrified. Why not? If this were a purely commercial transaction, why shouldn't it be sold to anyone who had cash in hand? Brewster protested that private detectives and other agencies "don't have the charge and the responsibility of the Bureau."

Long kept hammering away. Didn't this performance by the telephone company in permitting,



even helping, to tap its own lines raise "a great question of apprehension of your subscribers over the city as to whether their telephones are maybe being tapped or bugged?"

"Sure, it certainly does," Brewster replied.

The telephone company's security man then read into the record a long list of work orders he had approved dealing with the installation of special lines to facilitate the widespread FBI wire tapping.

SENATOR LONG: Did your employees go with the FBI men when they were disguised as telephone company employees?

BREWSTER: I will put it this way. I think there were some Bureau men who went with the telephone company people.

SENATOR LONG: Disguised as telephone employees?

BREWSTER: They had on old clothes and those things. I think I loaned one of them a pair of —

SENATOR LONG: Mr. Brewster, this work is so dangerous and so disagreeable to your men that you have to ask for volunteers, don't you, to go out and handle this type of situation?

BREWSTER: I have never had to.

SENATOR LONG: I think Mr. Schmitt or Mr. [William] Hare [two telephone employees who had previously testified] could answer that question for me. Could either one of

you gentlemen answer it for me?

HARE: Yes, sir.

SENATOR LONG: Thank you. It got so dangerous, they finally stopped volunteering.

BREWSTER: It might have been.

The ethical dilemmas in which a telephone company official becomes involved when he makes the FBI his master were highlighted in a final, farcical exchange between Senator Long and Brewster. Long asked Brewster what happened when telephone subscribers became suspicious and asked the company to determine whether their phones were being tapped. Well, said Brewster, the company sent men out to check poles in the vicinity of the terminal box in question, and twice in the past year, as a matter of fact, they had discovered taps. Then it went like this:

SENATOR LONG: You have found those. What did you do with the equipment that you found?

BREWSTER: Our instructions to our people are, who actually make the inspection, remove the equipment and give it to the customer and advise them to contact the law enforcing officers, preferably the FBI. (Emphasis added.)

SENATOR LONG: What would you have done if you got a call from the Acme Jobbing Company, I believe you said, down at 2512 McGee Street? [This was one of the locations that Brewster had helped the FBI to tap.] What would you have done if you had gotten a call that their line was being tapped?

BREWSTER: I don't know, to be frank with you.

SENATOR LONG: Would you have gone down to check it?

BREWSTER: I just don't know.

This seems like an appropriate note on which to close this account of the world of Big Brother. Freedom can hardly endure, despite all the platitudes of stump-shouting politicians, unless people can feel free to exchange their private thoughts and indulge in uninhibited discussion. And who can feel free in a world in which government employees spy on a sun-bathing wife, snoop through mail, tap telephones, bug the most private areas of the home—and then, if it suits official purposes, take the witness stand and, superior to the law, blithely lie about it? The subterranean world that the Long committee investigation has been exposing is in irreconcilable conflict with the traditions of our past and is incalculably menacing to any continuance of a healthy democracy.

UNITED STATES GOVERNMENT

Memorandum

TO : MR. TOLSON

DATE: January 28, 1966

FROM : C. D. DeLoach

SUBJECT: SENATOR EDWARD V. LONG
SUBCOMMITTEE ON ADMINISTRATIVE
PRACTICE AND PROCEDURE

Tolson _____
DeLoach _____
Mohr _____
Wick _____
Casper _____
Callahan _____
Conrad _____
Felt _____
Gale _____
Rosen _____
Sullivan _____
Tavel _____
Trotter _____
Tele. Room _____
Holmes _____
Gandy _____

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 8/5/94 BY 5668 SLD/mj

The Attorney General's secretary called at 9:25 a. m. this morning and indicated that the Attorney General would appreciate me coming around to his office. After advising you and the Director, I went over to the Department.

The Attorney General asked me how I felt. I told him I was damned mad. He asked why. I mentioned that apparently Ed Guthman had steamed up his favorite hatchet man, [redacted] against the FBI once again. The Attorney General asked for the facts. I told him that [redacted] had called here twice yesterday and I had refused to talk to him. He then had called Mr. Wick's office without identifying himself and got Wick on the phone. He asked Wick several sarcastic questions about the identity of FBI representatives who had gone up on the Hill to see Senator Long. Wick told him nothing. I told the Attorney General we had learned that last night [redacted] had filed a story with his paper, the "Los Angeles Times," reflecting a lead, "Senate Subcommittee on Privacy backs away from FBI." I stated this was a deliberate attempt on the part of [redacted] to line up Senator Long against the FBI. I added that such a campaign could not help but force Senator Long to attempt to take action against the FBI.

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The Attorney General stated he thought I was wrong about Guthman initiating this move. He stated he knew precisely the identity of the individual who had leaked information to [redacted]. He added that it was none other than Bernard Fensterwald, Senator Long's Chief Counsel. I asked him how he knew this. He stated he couldn't tell me, however, he knew this to be the truth. He then added that Fensterwald had been fired by the late Senator Kefauver for pulling the same stunts when he was Kefauver's chief counsel. I told the Attorney General that I could not agree with him. I mentioned that we were well aware of Fensterwald's propensities however we were also well aware of Guthman's connections. The Attorney General asked me if I meant Bobby Kennedy. I told him I most certainly did. He stated that Bobby would have nothing to gain from pulling such tricks. I told him that was one

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b7C

1 - Mr. DeLoach
1 - Mr. Rosen
1 - Mr. Wick
1 - Mr. Mohr
1 - Mr. Gale
1 - Mr. Sullivan

Continued on next page....

77-44206-38

FEB 7 1966 FEB 4 1966

NINE

CDD:amr (7)

DeLoach to Mr. Tolson memo
Re: Senator Edward V. Long

point that we could not understand----why Bobby and Guthman would be attempting to embarrass the FBI with the full knowledge that such activities could lead right back to Bobby and his sponsorship and sanction of widespread usage of microphones throughout all investigative agencies of the Government. The Attorney General stated that Guthman was not responsible. I told him that I did not share that opinion.

The Attorney General stated that he was aware of the fact that we did not like Guthman. I told him it was not a matter of not liking someone but rather the matter of someone pulling dirty tricks on the FBI. The Attorney General made no comment.

The Attorney General indicated that he would see Senator Long at 11:00 a. m. this morning. He indicated that from his act of approving the Director's letter to Senator Long last week he felt that we had already seen the Senator. I told him this was correct. He stated that obviously our approach had been very successful. He mentioned that he would like to know what was said to Senator Long so that he could use the same approach this morning. I told the Attorney General that no specific "approach" had been used but that we had merely justified FBI actions in an honest, fair way. The Attorney General stated he would do the same. He said he had received the Director's memorandum concerning San Francisco activities and that he felt that facts contained therein would be of service to him. He asked me what I thought about leaving the Director's blind memorandum concerning leased line microphones on criminal activities in San Francisco with Senator Long. I told him I thought this would be a very bad idea. He stated that he would have trouble remembering all the facts. He thought, therefore, that he would just hand the memorandum to Senator Long and let him read it. He was told that there would appear to be no objection to this as long as he did not let Senator Long retain this memorandum. He stated he did not plan to leave it in Senator Long's hands. I did not tell the Attorney General that we had thoroughly gone over the same matter with Senator Long with respect to San Francisco.

The Attorney General indicated that he was going to try to sidetrack Senator Long into working on new legislation covering organized crime rather than continuing hearings regarding the invasion of privacy. I told the Attorney General that while this may seem logical it would appear that Senator McClellan rather controlled this field and Senator Long might feel he was being deprived of publicity important to himself. The Attorney General agreed and stated that regardless of what success he might have with Senator Long, the [redacted] story would probably kill everything anyhow. I stated that certain people should think of these things prior to initiating smear actions. This was the end of the conversation.

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~~CONFIDENTIAL~~

February 10, 1966

BY LIAISON

Honorable Marvin Watson
Special Assistant to the President
The White House
Washington, D. C.

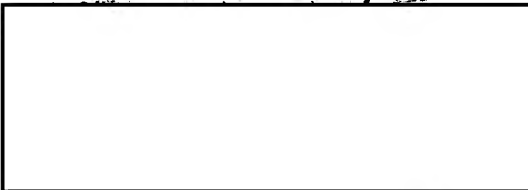
Dear Mr. Watson:

Reference is made to the name check requests
from Mrs. Stegall relative to some 1,300 individuals.

Attached are separate memoranda on each of
the following individuals included in these name check requests:



Bernard Fensterwald, Jr.



b6
b7C

This letter of transmittal can be declassified
when it is detached from the enclosure bearing a classification.

Sincerely yours,

- 1 - Mr. DeLoach - Encs. (20) - sent direct 1 - Mr. Rosen - Encs. (20)
1 - Mr. Gale - Encs. (20) ENCLOSURE

NOTE: To be delivered by liaison.

Enclosures (29)

JMM:jol (8)

~~CONFIDENTIAL~~

177-44206-39

NOT RECORDED

FEB 15 1966

ENCLOSURE

ENCLOSURE

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Delivered to Mildred Stegall
on 2-10-66

MAIL ROOM ☐ TELETYPE UNIT ☐

February 10, 1966

BERNARD FENSTERWALD, JR.

The above-mentioned individual was the subject of FBI investigations during 1949 and 1959, and attached is a copy of the summary memorandum which was prepared dated March 20, 1959. (77-44206-36)

The fingerprint files of the Identification Division of the FBI contain no arrest data identifiable with Mr. Fensterwald based upon background information submitted in connection with this name check request.

Enclosure

MAJ:jma
jma

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 8/5/94 BY 5668 SW/dmj

✓ M ✓

Tolson _____
DeLoach _____
Mohr _____
Wick _____
Casper _____
Callahan _____
Conrad _____
Felt _____
Gale _____
Rosen _____
Sullivan _____
Tavel _____
Trotter _____
Tele. Room _____
Holmes _____
Gandy _____

MAIL ROOM ☐ TELETYPE UNIT ☐

77-44206-39

ENCLOSURE

Federal Bureau of Investigation
Records Branch

#122

, 19__

☐ Name Searching Unit - Room 6527
☐ Service Unit - Room 6524
☐ Forward to File Review
☐ Attention _____
☒ Return to Murphy 4230
 Supervisor Room Ext.

Type of References Requested:

☐ Regular Request (Analytical Search)
☐ All References (Subversive & Nonsubversive)
☐ Subversive References Only
☐ Nonsubversive References Only
☒ Main Sum References Only
65 sec

Type of Search Requested:

☐ Restricted to Locality of _____
☐ Exact Name Only (On the Nose)
☐ Buildup ☐ Variations

Subject Bernard Fensterwald, Jr.

Birthdate & Place _____

Address _____

Localities _____

R# _____ Date 12-17 Searcher Initials CV

Prod. _____

FILE NUMBER SERIAL

~~57-44806~~
~~165-44806~~
~~77-44806-34 sum 5-20-59~~
~~-36 sum 11-9-64~~
~~62-99828-245, 248, 185, 187~~
~~62-35998-100~~
~~62-99828-248, 249, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000~~
 Mrs Bernard
 145-50550

ALL INFORMATION CONTAINED
 HEREIN IS UNCLASSIFIED

DATE 8/5/94 BY 56608 SLS/dmj

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. Conrad

FROM : A. J. Baker

SUBJECT: TELEPHONE SECURITY CHECK
FOR SENATOR EDWARD LONG

DATE: March 1, 1966

1 - Mr. Mohr
1 - Mr. DeLoach
1 - Mr. Gale
1 - Mr. Conrad
1 - Mr. Baker
1 - Mr. Swartz
1 - []

Tolson ☒
DeLoach ☒
Mohr ☒
Wick ☒
Casper ☒
Callahan ☒
Conrad ☒
Felt ☒
Gale ☒
Rosen ☒
Sullivan ☒
Tavel ☒
Trotter ☒
Tele. Room ☒
Holmes ☒
Gandy ☒

Assistant to the Director DeLoach received a request from Senator Edward Long for the Bureau to conduct a security check of his telephone lines at the New Senate Office Building and at his residence. Mr. DeLoach advised that the Director had approved doing this check for the Senator.

On 2/9/66 Electronics Section personnel completed a security check of the office of Senator Long, his secretary and the office of Bernard Fensterwald. This check included monitoring the radio frequency spectrum, a check of all telephone instruments, a physical search of accessible locations in these offices and an inspection of access points within telephone company controlled space. No evidence of tampering was observed.

At the time of this check, Senator Long advised that he would be out of town for several days but would let Mr. DeLoach know when he desired that a check be made of his residence telephone lines.

The results of the completion of the office part of this check on 2/9/66 were furnished to Mr. DeLoach in order that he could orally advise Senator Long.

On 3/1/66 Senator Long advised through [] that he did not feel it was necessary to make a security check at his residence at this time. [] stated the Senator is most appreciative of the check that was made of his office space and expressed his thanks for this service.

Accordingly, this completes our action in handling this request.

ACTION:

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DATE 8/5/94 BY 5668 SLJ/dmj

177-44206-40
15 MAR 1966
NOT RECORDED

This is furnished for the information of Assistant Director DeLoach.

WEH:bwd (8)

57 MAR 14 1966

ORIGINAL FILED IN

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b7C

Laws Fail To Prevent Snooping

The door closes as a secretary arrives for work. A tape recorder automatically clicks on, providing her boss with a record of everything that happens before he reaches the office.

Or your new hi-fi system with speakers throughout the house is converted, with a few minutes meddling, into a radio station that broadcasts goings-on in every room to any one within blocks who cares to tune in.

These are routine examples of a new million-dollar industry—electronic eavesdropping—and panelists at a D.C. Bar Association meeting last night agreed there is little lawyers can do at present to bring privacy invaders to book.

Eavesdroppers can plant their electronic bugs with relative immunity because of "this tremendous confusion of the law," according to one panelist, Samuel Dash, a former Philadelphia district attorney who wrote a book about the subject.

Another method of listening in, the actual tapping of telegraph or telephone wires, is a violation of Section 605 of Federal Communications regulations. However, said another speaker, Bernard Fensterwald, chief counselor for a Senate committee investigating wiretapping, there has been "virtually no enforcement." He said tappers include the Federal Government, state and local agencies and primarily, individuals and private detectives.

The first Federal controls on eavesdropping — or the use of listening devices that do not require wires — go into effect April 8. They are "a step in the right direction," Fensterwald said, but they exempt law enforcement agencies and listening-in at public or semi-public premises.

Jack Richards, a private detective, closed the Junior Bar Night proceedings at the Mayflower. Armed with suitcases of commercially available eavesdropping paraphernalia, he ran through a few quick, chillingly simple bugging techniques.

Tolson _____
DeLoach _____
Mohr _____
Wick _____
Casper _____
Callahan _____
Conrad _____
Felt _____
Gale _____
Rosen _____
Sullivan _____
Tavel _____
Trotter _____
Tele. Room _____
Holmes _____
Gandy _____

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DATE 8/5/94 BY 5668 SLD/dmj

The Washington Post and Times Herald A-10
The Washington Daily News _____
The Evening Star _____
New York Herald Tribune _____
New York Journal-American _____
New York Daily News _____
New York Post _____
The New York Times _____
The Baltimore Sun _____
The Worker _____
The New Leader _____
The Wall Street Journal _____
The National Observer _____
People's World _____
Date _____

77-44206-A
NOT RECORDED
191 MAR 17 1966

MAR 9 1966

file 7-Jus

53 MAR 25 1966

ORIGINAL FILED IN

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. W. C. Sullivan

DATE: May 2, 1966

FROM : Mr. J. A. Sizoo

SUBJECT: SENATOR EDWARD V. LONG
Subcommittee on Administrative
Practice and Procedure

~~CONFIDENTIAL~~

1 - Mr. DeLoach
1 - Mr. Mohr
1 - Mr. Wick
1 - Mr. Sullivan
1 - Mr. J. A. Sizoo
1 - Mr. T.J. Smith

Tolson
DeLoach
Mohr
Wick
Casper
Callahan
Conrad
Felt
Gale
Rosen
Sullivan
Tavel
Trotter
Tele. Room
Holmes
Gandy

On 5/2/66, Mr. Raymond A. Taggart telephonically advised Night Supervisor Thomas J. Smith, Domestic Intelligence Division, as follows: (u)

Taggart said that he was informed on 5/2/66, that he must meet with Bernard Fensterwald, General Counsel for Senator Long's Committee investigating wire taps, and that he feels sure the information set forth below is the matter Fensterwald wishes to discuss with him. He is to meet Fensterwald at 2:30 PM, 5/3/66. He will be able to give the facts related below. (u)

Taggart was a Bureau Agent from 1941 to 1951. For the past eight years he has been Security Officer for the Agency for International Development. Subsequent to his leaving the Bureau, Taggart was employed by one Bob Maheu, who operated a private investigations firm. During the time Taggart worked for Maheu, Maheu had a client, Stavros Niarchos, a very wealthy Greek shipping operator who also had vast oil interests. Because of a fight between Niarchos and Aristotle Onassis, another well-known Greek shipping figure who was also involved in oil, Niarchos desired a telephone tap on the lines in Onassis' office in New York City. Maheu was able to get this tap installed through John Frank, who received wide publicity because of his acting as a foreign agent for the Dominican Republic. (X)u

According to Taggart, the Bureau interviewed him in about 1957 concerning his knowledge of John Frank and his activities as a foreign agent. He was also questioned at the time concerning his knowledge of the telephone tap on the office of Onassis. He said that although he was aware of the tap, and so informed the Bureau, he did not then, nor has ever found out who installed the tap, nor did he have any details concerning the matter. (X)u

WJS:chs
(7)

CLASS. & EXT. BY 1-2. 4. 2
REASON - 1-2. 4. 2
DATE OF REVIEW 1/4/80

~~CONFIDENTIAL~~

OVER

18 MAY 6 1966

INT. SEC.

NINE

ORIGINAL FILED IN 64-99827

DECLASSIFIED BY 5668 SLD/amy
ON 8/5/91
FOR PREVIOUS RELEASE
190-9532-(2514)35

MEMORANDUM TO MR. SULLIVAN
RE: SENATOR EDWARD V. LONG

~~CONFIDENTIAL~~

Taggart said that he desired that this information be brought to the attention of the Bureau inasmuch as he feels that his prior connection with the Bureau could be exploited by the Long Committee and that he feels a loyalty and obligation to tell the Bureau in advance that he will meet with Fensterwald. He said that he will keep the Bureau posted as to any developments concerning his meeting with Fensterwald. He said that the General Counsel for the Agency for International Development is meeting on the morning of 5/3/66, to discuss the position of that Agency in the event Taggart's connection with the Agency is brought out in any Long Committee hearing in the future. (u)

ACTION

For information. (u)

SD

W-95

ADDENDUM: DOMESTIC INTELLIGENCE DIVISION 5-3-66 WLS:mlh

A review of Taggart's personnel file indicates he entered on duty 4-28-41 as a messenger and was appointed Special Agent (cryptographer) 12-29-42. He served in the Laboratory Division until October, 1945, when he was assigned to the field. He was a Supervisor in the Domestic Intelligence Division from 8-1-50 to 4-7-51 when he voluntarily resigned because of financial pressures on him. The file also indicates that in 1954 Taggart advised he was associated with Robert A. Maheu, Associates, a private investigating organization. Maheu is also a former Agent and Maheu Associates has been a controversial organization. On one occasion extensive inquiry was made as to how that organization became aware of the contents of a Bureau SAC Letter. (u)

It is to be noted that on 9-30-58 Taggart's service record was furnished to International Cooperation Administration, the predecessor to Agency for International Development. Statement of character and service having been satisfactory, was not included. (u)

MEMORANDUM TO MR. SULLIVAN
RE: SENATOR EDWARD V. LONG

~~CONFIDENTIAL~~

The personnel file of John Joseph Frank indicates that he was employed as a messenger on 7-1-40 and entered Agent's class on 7-4-40. He served in the Cleveland and New York Offices until 1942 when he resigned. He has been the subject of a Foreign Agents Registration Act investigation and was involved in the 1962 case involving a "wiretap" located in a room in the Mayflower Hotel, Washington, D. C. A key witness hid out on his instructions and subsequently Frank plead guilty to harboring charge and received a sentence of six months in the U.S. District Court, Washington, D. C. (S)U

WVS

Shy

V.

WPC Jo

~~CONFIDENTIAL~~

F B I

Date: 5/11/66

Transmit the following in _____
(Type in plaintext or code)Via AIRTEL _____
(Priority)

Mr. Tolson	_____
Mr. DeLoach	_____
Mr. Mohr	_____
Mr. Wick	_____
Mr. Casper	_____
Mr. Callahan	_____
Mr. Conrad	_____
Mr. Felt	_____
Mr. Gale	_____
Mr. Rosen	_____
Mr. Sullivan	_____
Mr. Tavel	_____
Mr. Trotter	_____
Tele. Room	_____
Miss Holmes	_____
Miss Gandy	_____

TO: DIRECTOR, FBI

FROM: SAC, WFO (66-4070)

SENATE SUBCOMMITTEE ON ADMINISTRATIVE
PRACTICE AND PROCEEDURE, COMMITTEE ON
JUDICIARY, UNITED STATES SENATE,
SENATOR EDWARD V. LONG, DEMOCRAT,
MISSOURI - CHAIRMAN

On 5/10/66, JOHN W. LEON, Private Investigator,
Washington, D. C., telephonically contacted SA [redacted]
[redacted], WFO, at his residence and stated that he had
some information which he wanted to discuss with SA [redacted]
prior to his appearance before the above captioned senate
subcommittee.

For your information, JOHN W. LEON was convicted
along with former SAs JOHN J. FRANK and OLIVER ANGELONE, with
regard to violation of the Federal Communication Act for
placing a "bug" at the Mayflower Hotel. LEON received a
suspended sentence in this case, but presently has the case
on appeal before the United States Supreme Court. LEON
formerly furnished information to WFO concerning former
Police Chief ROBERT V. MURRAY, and this information was
furnished to the Bureau by airtels dated 10/22/64, and 3/31/66,
captioned "ROBERT V. MURRAY, FORMER CHIEF, MPD, WASHINGTON,
D. C.; INFORMATION CONCERNING".

3 - Bureau
1 - WFO

JPM:feh

(4)

AIRTEL

18 JUN 2 1966

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HEREIN IS UNCLASSIFIED
DATE 8/5/94 BY 5668 SDP/ry

CWC: Wick: CWC

Approved: _____

57 JUN 21 1966

Special Agent in Charge

Sent _____

M

P 102 JUN 6 1966

NOT RECORDED

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ORIGINAL FILED IN 66-4070-112

77-44206-42

LEON stated that last week he had spent considerable time with BERNARD FENSTERWALD, Chief Counsel, [redacted] (phonetic) [redacted]

[redacted] for the above captioned senate subcommittee. He stated that he is scheduled to appear as a witness in open hearings held by the subcommittee sometime in June, 1965. He related that during his conversations with the committee staff members listed above, they informed him that they were not desirous of proceeding into government organization "wire-tapping," but were interested in "industrial espionage". LEON advised that he has been a Private Investigator in Washington, D. C., since 1948, and as such, has been aware of "wire-tapping" and "bugs" with regard to private companies. He related that he furnished all of the information in his possession to this committee sometime ago, but that apparently [redacted] [redacted], had lost some of the material. He related that for this reason he was reinterviewed by FENSTERWALD, [redacted] (phonetic), and [redacted], with regard to his testimony. 66?

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LEON stated that in connection with his testimony, FENSTERWALD made the statement that he was furnishing information against all or about, ex-FBI Agents, and their work in the private investigative field. LEON stated that he furnished information to these men with regard to his knowledge of the operation of former SA ROBERT MAHUE and his association with HOWARD HUGHES. He stated that he also told the committee that former SA WILLIAM REDDEN (now deceased) had done some work for MAHUE in connection with HUGHES, but he did not elaborate on REDDEN's connection with MAHUE and HUGHES. In addition, LEON stated that he furnished information to the committee concerning the activities of former SAs JOHN J. FRANK and OLIVER ANGELONE, with regard to his knowledge of the "bug" and other activities at the Mayflower Hotel. Mahue

LEON stated that he also told the committee members about some work which he did with an individual (FNU) [redacted], whom he described as an expert wireman, who is presently under indictment in New York City for wiretapping.

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WFO 66-4070

LEON stated that during the 1960 Presidential Campaign, he helped service a "bug" installed by [] on [], [], who at that time, was working for the Republican National Committee in Washington, D. C. He stated that while working with [], [] informed him that the "bug" had been ordered from the committee headquarters, but he did not elaborate as to who instructed him [] to install the "bug". In addition, LEON stated that he furnished the subcommittee with information concerning a "bug" and "wiretap" of EDWARD RICKENBACKER in Washington, D. C., and DAVID J. MC DONALD, former President of the National Steelworkers Union. LEON stated that MC DONALD had a "bug" placed on his opponent I. W. ABEL, as well as ABEL's assistants and counsels.

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LEON advised that during his conversations with FENSTERWALD, he indicated to him that he intended to subpoena [] ex-SAs JOHN J. FRANK, OLIVER ANGELONE, and ROBERT MAHUE. He also advised that the subcommittee intended to subpoena [], whom he described as one of the foremost wireman in the country, and THOMAS LA VENIA, a former treasury agent, who is now a private investigator in Washington, D. C.

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LEON stated that during his conversation with FENSTERWALD, FENSTERWALD made the remark that he could only furnish information concerning former FBI Agents, and then laughed. LEON stated that he has become concerned regarding his testimony with regard to the activities of former Special Agents of the FBI, and wanted to know if it would be possible for him to talk with someone in authority who would give him the official position of the Bureau with regard to former Special Agents. He stated that he had the highest regard for the FBI, but felt that from his testimony it might indicate that he disliked the FBI, and was attempting to embarrass the organization. LEON reiterated that he had only the highest regard for the FBI, and stated that he wanted someone to tell him how he should testify with regard to the activities of former Special Agents.

WFO 66-4070

LEON was informed by SA [] that once an individual resigns, retires, or is otherwise separated from the FBI, he has no longer official connection with the Bureau. LEON was also advised that he should tell the truth in his testimony before the subcommittee, and that the FBI would not, and could not tell him how to testify with regard to his knowledge concerning the activities of former Special Agents, no longer connected with the Bureau.

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LEON stated that he was fully aware and understood the FBI's position concerning former Special Agents who are presently engaged as private investigators, but felt that his testimony might lead people to believe that he was "anti-FBI". He added that he did not want to embarrass the FBI in his testimony, and added that he would tell the truth concerning his knowledge of the activities of former Special Agents in the "industrial espionage" field. LEON stated that no date had been set for the hearing, inasmuch as the subcommittee wished to get as much publicity as possible, but felt that they wanted to hold off for a while due to the present publicity concerning Senator THOMAS J. DODD of Connecticut.

WFO has experienced considerable difficulty in interviewing LEON, especially in detail, in order to document some of the information which he has furnished. LEON rambles from one subject to another, and it is almost impossible to pin him down as to any comment or point which he makes. For this reason, no effort was made to ascertain the full details of LEON's testimony before the subcommittee, as it is felt that he will immediately contact BERNARD FENSTERWALD, Committee Chief Counsel, and inform him that the FBI had questioned him regarding his contemplated testimony before the subcommittee. UACB, no additional contact will be made with LEON and in the event he furnishes any additional information regarding the subcommittee hearings, the Bureau will be promptly advised.

UNITED STATES GOVERNMENT

Memorandum

1-Mr. DeLoach
1-Mr. Mohr
1-Mr. Callahan
1-Mr. Bishop
1-Mr. Sullivan
1-Mr. Rosen

1-Mr. Gale
1-Mr. Feeney
1-Mr. Cleveland

Tolson _____
DeLoach _____
Mohr _____
Bishop _____
Casper _____
Callahan _____
Conrad _____
Felt _____
Gale _____
Rosen _____
Sullivan _____
Tavel _____
Trotter _____
Tele. Room _____
Holmes _____
Gandy _____

TO : MR. TOLSON

DATE: 12/12/67

FROM : C. D. DE LOACH

SUBJECT: CREDIT BUREAU HEARINGS
SUBCOMMITTEE ON ADMINISTRATIVE
PRACTICE AND PROCEDURE

I talked to Senator Ed Long at 5:45 p. m., 12/11/67, concerning his letter to the Director dated December 4, 1967.

Senator Long was told that the Director wanted to be of every possible assistance to him in revealing information regarding FBI contacts with credit unions and the manner in which such information was used. I stated that the Senator should realize, however, that his requests were somewhat impractical in that it would cause the FBI to pull several men off necessary work to compile the voluminous statistics that he had asked for. I stated that quite frankly the Congress had taken the FBI out of the applicant investigative business some years ago and that applicant inquiries now were normally based upon requests that we personally received from the President, who desires to ascertain the financial standing of those individuals who receive presidential appointments.

I stated also that there were, of course, a number of other cases in which we checked various credit unions, particularly with respect to ascertaining financial ability or in related type investigations. I told the Senator that our files were, of course, confidential in that such information, when obtained from credit unions, was released only to authorized persons reviewing these reports to determine whether or not an individual should be hired.

Senator Long told me that we should ignore his letter of December 4, 1967, and there would be no need for any reply whatsoever. He stated that the referenced letter to the Director was placed on his desk along with a number of other letters and he automatically signed it without giving much thought to it. He mentioned that his Chief Counsel, Bernard Fensterwald, was the individual who prepared the letter. He indicated he would tell Fensterwald to keep "hands off" the FBI. He added that he was thoroughly satisfied that our contacts with credit unions represented no invasion of privacy and there would be no need for further inquiries in this regard.

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ORIGINAL FILED IN

77-44206-43

NOT RECORDED

46 DEC 27 1967

53 JAN 1968

(10)

COPY SENT TO MR. TOLSON

CONTINUED... OVER

DeLoach to Mr. Tolson
Re: Credit Bureau Hearings

I thanked the Senator and told him this, of course, would save us considerable time.

While talking with Senator Long, I told him that word had reached us through various sources that two of his staff members, Fensterwald and [REDACTED] had been in New Orleans, Louisiana, conducting investigations to determine the source of the information given to Life Magazine concerning him, Senator Long. I stated one source had told us that Fensterwald had made the remark, "The information given to Life must have come from a U. S. Attorney's office, the Department of Justice, or the FBI."

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I told Senator Long that I felt this was most unfortunate inasmuch as I felt he well knew that the FBI had under no circumstances dealt with Life Magazine in this regard.

Senator Long told me that Fensterwald shot off his mouth too much and that he was also very much aware of the fact that the FBI had never given Life Magazine anything; furthermore, that the FBI was one of his closest friends. He stated that he felt the two articles in Life Magazine were "planted" by Bobby Kennedy inasmuch as Bobby completely controlled Ed Lambert who wrote the articles.

I told the Senator this ^{was} likely a very wise guess. The Senator thanked me for this call and stated that I should not hesitate to get in touch with him at any time for assistance.

ACTION:

For record purposes.

[Handwritten initials] *[Handwritten signature]*

Memorandum

Mr. DeLoach

DATE: 10/11/68

T. E. Bishop

SUBJECT: RICHARD GERSTEIN
DISTRICT ATTORNEY OF DADE COUNTY, FLORIDA
REQUEST FOR IDENTIFICATION RECORD

Synopsis:

On 10/11/68, Bernard Fensterwald, former Chief Counsel of Senator Edward Long's Subcommittee on Eavesdropping and who has never been friendly to the FBI, requested that we furnish him the arrest record on one [redacted] so that he could give this to Richard Gerstein for use in refuting a charge made by [redacted] to the effect that Gerstein accepted a bribe several years ago. Fensterwald was advised that Gerstein should make his request directly to FBI or through FBI channels and also that identification records can be furnished by FBI for official purposes only. Fensterwald admitted that Gerstein's proposed use of the identification record probably would not be in connection with an official matter of the Dade County District Attorney's Office. ASAC Fox of Miami Office was advised of above and stated today's "Miami Herald" carried story to the effect that Gerstein's Republican opponent for District Attorney's position made public a sworn statement from one [redacted] to effect that Gerstein solicited and accepted \$1500 bribe in 1960 from one [redacted] of Miami. ASAC Fox was advised that should Gerstein contact Miami Office it should be determined if request is for official purposes or merely political purposes. If latter, Gerstein should be advised record could not be furnished to him but if request appears to be for official purposes, Gerstein's request should be forwarded by Miami Office to Bureau.

RECOMMENDATION:

None. For information.

- Mr. DeLoach
- Mr. Rosen
- Mr. Gale
- Mr. Trotter

(DETAILS - page 2)

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DATE 8/5/94 BY 5668 SJD/duj

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CRIME RESEARCH
UNIT

ORIGINAL FILED IN

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T. E. Bishop to DeLoach
Re: RICHARD GERSTEIN

Details:

At 4:30 p.m., 10/11/68, Bernard Fensterwald, who is in the office of Senator Edward Long of Missouri and who was formerly Chief Counsel of Long's Subcommittee on Eavesdropping and who has never been a friend of the FBI, telephoned me. He said that Richard Gerstein, the District Attorney of Dade County, Florida, had asked him to secure from the FBI for Gerstein any arrest record the FBI might have on one [redacted] so that Gerstein can use the record in refuting a charge [redacted] has made to the effect that Gerstein accepted a bribe several years ago. Fensterwald stated that the charge concerning the bribe is contained in a story in today's "Miami Herald" newspaper. I pointed out to Fensterwald that I was surprised that Mr. Gerstein had not made his request directly to the FBI or through FBI channels, and also advised Fensterwald that identification records of the FBI can be used by law enforcement agencies only for official purposes. Fensterwald admitted that Gerstein's proposed use of the identification record probably would not be in connection with an official matter of the Dade County District Attorney's Office. I told him that under these circumstances we would prefer that Gerstein contact the Miami Office, fully explain what he wished to use the identification record for and make his request to that office. He was told that if the record was desired for purposes under which it would be proper to furnish it to him, the Miami Office would transmit his request to the Bureau but that, if it were not for the proper purpose, we would not be able to accede to the request. Fensterwald was quite unhappy with this information and hinted very openly that Gerstein had done favors for Senator Long and other Senators and that Fensterwald was considering having "pressure" put on the FBI through these Senators to secure the record. b6 b7C

I immediately contacted ASAC Fox of the Miami Office who stated that Gerstein is engaged in a very hot battle for re-election as District Attorney of Dade County and many charges and counter-charges are being exchanged between him and his opponent, [redacted], a Republican. In today's "Miami Herald" there is a story to the effect that [redacted] made public a sworn statement from one [redacted] to the effect that in 1960 Gerstein solicited and accepted a \$1500 bribe from one [redacted] b6 b7C

[redacted] I told Fox that, should Miami Office be contacted by Gerstein, he should carefully determine if the request for the identification record of [redacted] is for official purposes or is merely for political purposes. I told him that, if it is for the latter he should explain to Gerstein that the record could not be furnished to him and that, in the event it appeared to be for official purposes, that Gerstein's request should be forwarded by the Miami Office to the Bureau.

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. DeLoach

DATE: January 14, 1969

FROM : A. Rosen *fr*

SUBJECT: BERNARD FENSTERWALD
EXECUTIVE DIRECTOR
NATIONAL COMMITTEE
TO INVESTIGATE ASSASSINATIONS

1 - Mr. DeLoach
1 - Mr. Rosen
1 - Mr. Malley
1 - Mr. Shroder
1 - Mr. Raupach
1 - Mr. Bishop
1 - Mr. Sullivan

Tolson
DeLoach
Mohr
Bishop
Casper
Callahan
Conrad
Felt
Gale
Rosen
Sullivan
Tavel
Trotter
Tele. Room
Holmes
Gandy

Fensterwald appeared as a guest on a radio program called, "Sunday Dialogue" featured by radio station WAVA 1/12/69. This was a two-hour show. The first hour Fensterwald was interviewed by the narrator regarding the purpose of the National Committee to Investigate Assassinations and the second hour was answering questions telephonically from the inquiring public.

Fensterwald stated that the Warren Commission report is a "fairy story" and that it is false and one of the biggest "snow jobs" ever done. He said the Committee's office will be located at 927 15th Street, Northwest, Washington, D. C., telephone number 347-3837.

Fensterwald mentioned at present he has no staff but does have a Board of Directors which include Jim Garrison, New Orleans District Attorney, [redacted], Fred J. Cook, Paris Flammonde, author and others. He hopes to build an investigative staff through funds obtained from private sources and donations. Thereafter, the staff will conduct necessary investigation into the assassinations of President John Fitzgerald Kennedy, Martin Luther King, and Robert F. Kennedy.

Fensterwald intends to link forces with various individuals around the country namely Jim Garrison, Harold Weisberg, [redacted] and others to form an organization so that a large pool of information relating to the assassinations will be available.

When this information becomes available, it is Fensterwald's intention to force, persuade or embarrass the Government to appoint a new Commission or for Congress to reopen the investigation concerning the assassination of President Kennedy. He contends the truth will come out.

KMR:sds
(8)

ENCLOSURE

54 FEB 12 1969

File civil (copy recording) with memo. Can be civil as well if desired. 6-KMR

NOT RECORDED
12 JAN 28 1969
46 JAN 28 1969

ORIGINAL FILED IN

Memo Rosen to DeLoach
RE: BERNARD FENSTERWALD

Fensterwald stated he believed there was a definite conspiracy involved in the assassination of President Kennedy and that there was more than one assassin involved. He indicated he doubts very much the Warren Commission's statement that there was no conspiracy involved in the assassination of President Kennedy. Fensterwald wants to have the photographs of President Kennedy's autopsy, currently in the Archives, made available as he believes with others of the group with whom he has become aligned, that shots which were responsible for President Kennedy's death came from the front, rather than from the rear.

Fensterwald briefly discussed his background as being associated with Senator Long's committee on wire tapping and had been involved in investigating the Internal Revenue Service and the Department of Justice. He was asked by the narrator if he intended to investigate the FBI. Fensterwald said he was not "doing an investigation of the FBI as such," however, will have the advantage of having [redacted] on the Board of Directors as well as Fred J. Cook, who are knowledgeable about the activities of the FBI and other Government agencies. Fensterwald mentioned Paris Flammonde, whom he described as an author who recently wrote the book "Why President Kennedy Was Killed." Flammonde takes the position in this book that there was a conspiracy involved and analyzes the possibilities of who were involved.

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Comments made by Fensterwald regarding the investigation of President Kennedy conducted by the Warren Commission readily revealed that he was not familiar with the full facts or the information contained in the Commission's report. Further he has aligned himself with individuals whom we know to be severe critics of the Warren Commission, the FBI, the CIA and other Government agencies.

He indicated another purpose he has is "to restore some sense of integrity to our Government," as an unsolved murder of a President casts doubt on the Government. Therefore, he will make efforts to bring an honest investigation "by our Government" into the assassination of President Kennedy.

From comments made by Fensterwald and because of the known background of the individuals with whom he is associating, it can be anticipated this group will undoubtedly make unwarranted attacks against the FBI in the future.

ACTION:

This is submitted for information.

P ✓ - 2 - R JPM
Just a bunch of reds
H

THUR
OH
RPM

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. Bishop

DATE 1-6-69

FROM : M. A. Jones

SUBJECT: NATIONAL COMMITTEE TO
INVESTIGATE ASSASSINATIONS

Tolson _____
DeLoach _____
Mohr _____
Bishop _____
Casper _____
Callahan _____
Conrad _____
Felt _____
Gale _____
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Sullivan _____
Tavel _____
Trotter _____
Tele. Room _____
Holmes _____
Gandy _____

SYNOPSIS:

UPI release of 1-3-69 announced the formation of National Committee to Investigate Assassinations. Board members of the committee include Bernard Fensterwald; Jim Garrison, New Orleans District Attorney; [redacted] Fred J. Cook, author; [redacted]; Lloyd Tupling, Washington, D. C.; and Paris Flammonde, author of a book on assassinations, soon to be released. The Director has asked for a memorandum on Fensterwald; [redacted] Tupling and Flammonde.

Fensterwald, former Chief Counsel to Senator Long's committee on wiretapping was subject of applicant-type inquiries conducted by Bureau in 1949 and 1959. The names of Fensterwald's mother and sister appeared on a list of delegates and members in 1942 of the Southern Conference for Human Welfare, cited by the House Committee on Un-American Activities. While employed by the State Department in 1956, Fensterwald and his mother traveled to the Soviet Union.

We have had considerable contact with Fensterwald over the past four years as Chief Counsel of the United States Senate Committee on the Judiciary; Subcommittee on Administrative Practice and Procedure (the Long committee). In these contacts Fensterwald has clearly shown he is unscrupulous, untrustworthy and anti-FBI. He frequently sought to involve the FBI in wiretapping probes by Long's committee and in January, 1966, in connection with hearings in San Francisco Fensterwald indicated that [redacted] would be one of the witnesses he intended to call in connection with FBI wiretapping. Mr. DeLoach briefed Fensterwald and Senator Long as to [redacted] unsavory background. [redacted] is another board member of the assassination committee.

- 1 - Mr. DeLoach
- 1 - Mr. Bishop
- 1 - Mr. Rosen

MCI-33

62 112697

REC-57

NOT RECORDED

46 JAN 31 1969 SYNOPSIS - CONTINUED OVER

MM:cmj

53 FEB 24 1969

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 8/5/94 BY 5668 SLD/dmg

ORIGINAL FILED IN 62-112697

M. A. Jones to Bishop memo
RE: NATIONAL COMMITTEE TO
INVESTIGATE ASSASSINATIONS

In December, 1965, it was obvious that Fensterwald had sent information to Fred Cook, longtime FBI critic, for article in "The Nation" by Cook dealing with wiretapping by Government agencies. Cook quoted Fensterwald as stating, "The thing that has impressed me most is the ease with which Federal agents can lie under oath."

Mr. DeLoach maintained close personal liaison with Senator Long regarding his committee hearings and it was necessary on occasion to contact him regarding letters written over Long's signature to the Bureau requesting certain information. One such instance was in December, 1967, regarding FBI contacts with credit unions. Long stated we should ignore the letter and he would instruct Fensterwald to "keep hands off" the FBI. On same occasion Senator Long advised Mr. DeLoach that Fensterwald had "shot off his mouth too much" in connection with two articles in "Life" magazine dealing with Senator Long which allegedly had been "planted" by Bobby Kennedy.

Fensterwald, who will be Executive Director of assassination committee, left his post as Chief Counsel for the Long committee last month, apparently when Long resigned as Senator in order to give his successor seniority when the present Senate went into session.

No information in Bufiles concerning Paris Flammonde.

No pertinent information in Bufiles concerning Lloyd Tupling who may be identical with individual who was on staff of Senator Richard L. Neuberger in 1954.

[redacted] may be identical with [redacted]
[redacted]

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From the above lineup, including Garrison and [redacted] it is obvious that we can expect anti-FBI sentiments from such a group.

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RECOMMENDATION:

*See also the note for action
Hatched on 11/21/68*
For information.

DETAILS - CONTINUED OVER

M. A. Jones to Bishop memo
RE: NATIONAL COMMITTEE TO
INVESTIGATE ASSASSINATIONS

DETAILS:

A UPI release on January 3, 1969, announced the formation of a new National Committee to Investigate Assassinations. According to Bernard Fensterwald, 47, of Arlington, Virginia, a board member, the committee's purpose is "to embarrass or force the Government to make investigations they have been putting off since November 22, 1963." According to Fensterwald, the committee will concentrate on the assassinations of President Kennedy, Senator Robert Kennedy and Dr. Martin Luther King. In addition to Fensterwald, other members were identified as Jim Garrison, New Orleans District Attorney; [redacted]; [redacted]; Fred J. Cook, author; [redacted]; [redacted] Lloyd Tupling, associated with the Sierra Club, Washington, D. C.; and Paris Flammonde, a New York writer who is the author of a book on assassinations, which is soon to be released.

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The Director has asked for a memorandum on Fensterwald, [redacted] Tupling and Flammonde.

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Bernard Fensterwald: Fensterwald was born on August 2, 1921, at Nashville, Tennessee. He received the B. S. degree from Harvard College in 1942 and the LL. B. degree from Harvard Law School in 1949. He received the M. A. degree in 1950 from the School of Advanced International Studies, Washington, D. C.

Fensterwald was the subject of applicant-type inquiries conducted by the Bureau in 1949 and 1959. While generally favorable, the names of Mr. Fensterwald's mother and sister appeared on a list of delegates and members of the Southern Conference for Human Welfare, cited by the House Committee on Un-American Activities, at a meeting held on April 19-21, 1942, at Nashville, Tennessee. Fensterwald and his mother traveled to the Soviet Union in June, 1956, for a three-week vacation visit. At that time, Fensterwald was employed as a lawyer by the United States Department of State.

Fensterwald has been employed on the staffs of a number of Senate committees. In 1953 Fensterwald was employed by the Senate Subcommittee on Constitutional Rights (Henning Committee) and was involved in

M. A. Jones to Bishop memo
RE: NATIONAL COMMITTEE TO
INVESTIGATE ASSASSINATIONS

a request to the Bureau from this subcommittee for a list of instances wherein we had furnished information to members of Congress. Senator Henning subsequently advised the Bureau that Fensterwald's requests to the Bureau had been improper. Over the past four years we have had considerable contact with Bernard Fensterwald as Chief Counsel of the United States Senate Committee on the Judiciary; Subcommittee on Administrative Practice and Procedure (the Long Committee). In these contacts with Fensterwald it was clearly evident he was unscrupulous, untrustworthy and anti-FBI. He frequently endeavored to draw the FBI into conflicts around the country by his requests of various telephone companies and other sources who might possibly have information of wiretaps and other technical surveillances by the FBI. In January, 1966, in connection with Fensterwald's hearings in San Francisco he indicated that [] [] would be one of the witnesses he intended to call in connection with the extent of FBI wiretapping. Mr. DeLoach briefed Fensterwald and Senator Long who was present at the time of the discussion with Fensterwald as to [] unsavory background. Fensterwald indicated he would take a second look at [] in view of the information furnished by Mr. DeLoach. [] is reportedly another board member of the assassination committee)

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"The Nation" magazine in December, 1965, carried an article by Fred J. Cook dealing with wiretapping by Government agencies, including the FBI. It was obvious Cook, a longtime FBI critic, had obtained the information for his article from Fensterwald whom he quoted several times. Typical of many of Fensterwald's utterances in connection with his assignment as Chief Counsel of Senator Long's committee was the statement, in "The Nation" magazine article, "The thing that has impressed me most is the ease with which Federal agents can lie under oath."

Mr. DeLoach maintained close personal liaison with Senator Long concerning the work of the FBI as it might pertain to inquiries conducted by his committee. On occasions letters directed to the FBI requesting certain information were handled orally by Mr. DeLoach with Senator Long who indicated that Fensterwald had prepared the letters. One such instance was in December, 1967, in connection with FBI contacts with credit unions. On that occasion, Senator Long stated we should ignore the letter and he would instruct Fensterwald to "keep hands off" the FBI. On the same occasion

M. A. Jones to Bishop memo
RE: NATIONAL COMMITTEE TO
INVESTIGATE ASSASSINATIONS

Senator Long told Mr. DeLoach that Fensterwald has "shot off his mouth too much" in connection with two articles in "Life" magazine dealing with Senator Long which allegedly had been "planted" by Bobby Kennedy. According to the "Washington Post" of 1-3-69, Fensterwald will be the Executive Director of captioned committee. It is noted he left his post as Chief Counsel for the Long committee approximately a week ago, apparently when Long resigned as Senator in order to give his successor seniority when the present Senate went into session. (77-44206)

Paris Flammonde: Bureau files contain no information identifiable with Paris Flammonde.

Lloyd Tupling: During 1954, W. Lloyd Tupling was appointed the Information Officer of the staff of Richard L. Neuberger, Democratic Senator of Oregon. One Lloyd Tupling, University News Bureau, Eugene, Oregon, was listed as a member of the "Society of America's Friends of the Mexican People" as of 8-13-38. This group is no longer in existence and was not investigated by the FBI, although indications were that the group was sympathetic to the communist cause. During May, 1950, one Lloyd Tupling was the publisher of "The State-Wide Newspaper," a weekly published in Boise, Idaho. (100-179915-23)



A review was made of books written by critics of the Warren Commission to determine if [redacted] might have collaborated with them. In Josiah Thompson's book, "Six Seconds in Dallas," he acknowledges assistance from one [redacted] not further identified. Sylvia Meagher, author of "Accessories After the Fact," a severe critique of the Warren Commission,

M. A. Jones to Bishop memo
RE: NATIONAL COMMITTEE TO
INVESTIGATE ASSASSINATIONS

FBI, CIA, Secret Service, and Dallas Police Department, acknowledges the assistance of [] stating, "I am grateful to [] [] for making available a list compiled by him of photographs and films which seem to have been overlooked entirely by the Warren Commission and these investigative agencies."

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[] wrote us on 7-9-68 along the same vein he had written [] indicating he had important photographs of the assassination which should be reviewed by us, and also enclosed a research monograph relating to the assassination of President Kennedy. By letter of 7-18-68, we advised [] that the information in his monograph, as well as the photographs, were previously furnished the Bureau by the office of former Senator Robert F. Kennedy. Our files reveal no additional pertinent data concerning []. (62-109060-6520)

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Tolson _____
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ALL INFORMATION CONTAINED
 HEREIN IS UNCLASSIFIED
 DATE 8/5/94 BY 5668 SLD/dnj

UPI-108

(JFK)

WASHINGTON--NEW ORLEANS DISTRICT ATTORNEY JIM GARRISON IS ONE OF SEVEN BOARD MEMBERS OF A NEW NATIONAL COMMITTEE TO INVESTIGATE ASSASSINATIONS WHICH IS BEING FORMED HERE.

BERNARD FENSTERWALD, 47, OF ARLINGTON, VA., ANOTHER BOARD MEMBER, SAID THE COMMITTEE'S PURPOSE IS "TO EMBARRASS OR FORCE THE GOVERNMENT TO MAKE INVESTIGATIONS THEY HAVE BEEN PUTTING OFF SINCE NOV. 22, 1963."

THAT WAS THE DATE OF PRESIDENT KENNEDY'S ASSASSINATION IN DALLAS.

FENSTERWALD, WHO SAID HE WAS SETTING UP AN OFFICE WHICH WOULD OPEN IN A WEEK, LEFT THE SENATE EARLIER THIS WEEK AFTER 12 YEARS AS COUNSEL FOR SEVERAL COMMITTEES.

"THE COMMITTEE WILL CONCENTRATE ON THE THREE BEST KNOWN ASSASSINATIONS-- PRESIDENT KENNEDY, SENATOR ROBERT KENNEDY AND DR. MARTIN LUTHER KING -- BUT WILL LEAVE ITS OPTIONS OPEN ON SOME OTHER RATHER MYSTERIOUS DEATHS," HE SAID.

"OUR POSITION IS THERE WAS A CONSPIRACY IN DALLAS, THERE WERE STRONG FOOTPRINTS OF A CONSPIRACY IN MEMPHIS WHERE DR. KING WAS SHOT AND NOBODY REALLY KNOWS MUCH ABOUT WHAT WENT ON IN LOS ANGELES (WHERE SENATOR KENNEDY WAS SLAIN) BUT WE INTEND TO LOOK.

HE SAID THE COMMITTEE HOPED TO FIND PRIVATE FINANCIAL SUPPORT TO HIRE A PROFESSIONAL STAFF FOR ITS INVESTIGATIONS.

OTHER BOARD MEMBERS, SAID FENSTERWALD, INCLUDE

FRED J. COOK, ENGLEWOOD, N.J., AUTHOR; LLOYD R. DUPING, ASSOCIATED WITH THE SIERRA CLUB HERE, AND PARIS FLAMMONDE, A NEW YORK WRITER WHO WILL HAVE A BOOK OUT NEXT WEEK ON ASSASSINATIONS. EIGHT MORE BOARD MEMBERS WILL BE NAMED LATER, FENSTERWALD SAID.

1/3--GE158P

ORIGINAL FILED IN 62-112677-1

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JAN 27 1969

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UNITED STATES GOVERNMENT

Memorandum

Tolson _____
DeLoach _____
Walters _____
Mohr _____
Bishop _____
Casper _____
Callahan _____
Conrad _____
Felt _____
Gale _____
Rosen _____
Sullivan _____
Tavel _____
Soyars _____
Tele. Room _____
Holmes _____
Gandy _____

TO : Mr. DeLoach

FROM : A. Rosen

SUBJECT: BERNARD FENSTERWALD, JR.
NAME CHECK REQUEST

DATE: 6/15/70

- 1 - Mr. DeLoach
- 1 - Mr. Rosen
- 1 - Mr. Malley
- 1 - Mr. Scatterday
- 1 - Mr. McGowan
- 1 - Mr. Bishop

Special Agent in Charge of the Memphis Office, in connection with the James Earl Ray case, has requested a name check on Fensterwald, who is the head of a private group called "The Committee to Investigate Assassinations." This request is on behalf of [REDACTED] the state prosecutor assigned to the Ray case, who had asked for information concerning Fensterwald.

Fensterwald, former chief counsel to Senator Long's committee on wiretapping, was the subject of applicant-type investigations by the Bureau in 1949 and 1959, which developed that the names of his mother and sister appeared on a list of delegates and members in 1942 of the Southern Conference for Human Welfare, cited by the House Committee on Un-American Activities, and in 1956, while employed by the State Department, Fensterwald and his mother traveled to the Soviet Union for a vacation. No other derogatory data was developed. Fensterwald, in addition to his former State Department employment, was chief counsel of the U.S. Senate Committee on the Judiciary; Subcommittee on Administrative Practice and Procedure (Long Committee), and our contacts with him clearly showed he was unscrupulous, untrustworthy and anti-FBI and sought to involve the Bureau in wiretapping probes by Long's Committee. He allegedly leaked information to Fred Cook, long-time FBI critic, for an article by Cook which appeared in "The Nation," dealing with wiretapping by Government agencies.

A United Press International release in January, 1969, reported on the founding of the new committee to investigate assassinations, stating that Fensterwald was one of the members thereof together with District Attorney James Garrison of New Orleans, and [REDACTED] and extremely anti-FBI). Fensterwald was quoted as stating the purpose of the committee is "to embarrass or force the Government to make investigations they have been putting off since November 22, 1963," and indicated the committee's position was that there was a conspiracy in Dallas in connection with the assassination of President Kennedy and that there were "strong footprints" of a conspiracy in connection with the shooting of Dr. Martin Luther King.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 8/5/94 BY 5668 SD/dmg

5/5 JUN 24 1970

EX 110

REC 16 77-44206-4

JUN 17 1970

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CS (7)

Enc. sent 6-16-70

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Memo to Mr. DeLoach
Re: Bernard Fensterwald, Jr.

The attached letter to Memphis sets forth brief biographical data concerning Fensterwald and his employments, together with the data developed during the investigations concerning his mother and sister as well as his trip to the Soviet Union in 1956, which it is believed the Special Agent in Charge, Memphis, should orally furnish to [redacted].

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For his own information and guidance, the letter furnishes Memphis information concerning Fensterwald's anti-FBI attitude and his association with [redacted].

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RECOMMENDATION:

That the attached letter, if approved, be forwarded to Special Agent in Charge, Memphis.

[Handwritten signatures and initials]

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. Bishop

DATE: 4-28-72

FROM : M. A. Jones

SUBJECT: LEE HARVEY OSWALD
INTERNAL SECURITY - RUSSIA - CUBA
REQUEST FOR ACCESS TO FBI RECORDS -
CONGRESSMAN RICHARD H. ICHORD (D-MO.)

Tolson
Felt
Campbell
Rosen
Walters
Mohr
DeLoach
Casper
Callahan
Conrad
Dalbey
Cleveland
Ponder
Bates
Wickert
Walters
Soyars
Tele. Room
Holmes
Gandy

Reference memorandum of 4-10-72 from Mr. Branigan to Mr. Miller wherein it was recommended and approved that contact be made with Congressman Richard Ichord (D-Mo.) or appropriate members of his staff to determine his need for three specific documents relating to Bureau sources and operations which the Congressman had requested from Archives along with a number of other documents from the President's Commission on the Assassination of President John F. Kennedy.

This matter was first discussed by Inspector Bowers with Donald Sanders, Chief Counsel of the House Committee on Internal Security of which Congressman Ichord is Chairman, on 4-12-72. Sanders, a former Special Agent with whom we enjoy an excellent relationship, advised he was aware of Congressman Ichord's request for certain Warren Commission documents from the Archives, although he had not handled this matter. He stated the request had been handled by [redacted] a new Assistant in the Congressman's office. Sanders said he understands the request was made for an individual whose name he believed to be Fensterwald. Sanders was asked if this might be Benard Fensterwald, former Chief Counsel of the Senate Subcommittee on Administrative Practices and Procedures when it was Chaired by Senator Edward Long (D-Mo.) and who is now head of an organization he founded known as the National Committee to Investigate Assassinations. Sanders stated he was not sure but added this would appear to be a reasonable assumption. Sanders was briefly advised of Fensterwald's unsavory background and the fact that his National Committee to Investigate Assassinations includes other unscrupulous individuals such as Jim Garrison, New Orleans District Attorney; [redacted]; and Fred J. Cook, notorious left wing writer and severe critic of the FBI. Sanders expressed concern that Congressman Ichord might have inadvertently become involved with such a crowd.

- 1 - Mr. Mohr
- 1 - Mr. Rosen
- 1 - Mr. Bishop
- 1 - Mr. Miller

- 1 - Mr. Branigan
- 1 - Mr. M. A. Jones
- 1 - Mr. Bowers

NOT RECORDED
MAY 10 1972

DWB:kjs (8)

59 MAY 15 1972

MAY 10 1972

CONTINUED - OVER

ORIGINAL FILED IN 100-44206-48

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M. A. Jones to Bishop Memo
RE: LEE HARVEY OSWALD

On 4-13-72 Bowers called at the office of Congressman Ichord to speak with [] concerning this matter. Moments after Bowers arrived in the office Benard Fensterwald entered and conversation with the receptionist indicated he had an appointment with [] and also hoped to see the Congressman. Fensterwald did not recognize Bowers although they had several contacts while Fensterwald was employed by the Senate Subcommittee. b6 b7C

The matter of the Congressman's request for the Warren Commission documents was discussed with [] on 4-13-72 and he implied the Congressman wanted these documents in connection with his position as Chairman of the House Committee on Internal Security. He asked if it might be possible for him to review the classified documents and furnish the Congressman a summary to relieve the Congressman of the time-consuming task of having to personally review lengthy documents. [] was advised that under the circumstances it was felt the matter should be discussed personally with Congressman Ichord. [] stated that while the Congressman was then in the office he had a full schedule for the afternoon and indicated he would set an appointment for Bowers to discuss this matter with the Congressman in the near future. b6 b7C

Since that time, [] has been contacted on several occasions concerning the need for an appointment to resolve this matter with the Congressman, and [] has indicated he has been unable to arrange for an appointment. On 4-26-72 Sanders advised he had discussed this matter briefly with Congressman Ichord and told him of Bowers' desire to see him as soon as possible to get the matter resolved. Sanders stated the Congressman remarked that he also has pending a request from CIA for an appointment on the same matter and indicated he would discuss the matter with [] to arrange appointments in the near future. No further word has been heard from [] regarding an appointment. b6 b7C

Our relations with Congressman Ichord are excellent. It seems apparent he has been brought into this matter by [] and that the documents really are wanted for Fensterwald who has publicly stated that the purpose of his National Committee to Investigate Assassinations is "to embarrass or force the Government to make investigations they have been putting off since November 22, 1963." Undoubtedly, Congressman Ichord is not aware of Fensterwald's unsavory background or of the identities of others affiliated with him in the National Committee to Investigate Assassinations. He will be briefed in confidence concerning these individuals when an appointment is arranged with him regarding this matter. b6 b7C

RECOMMENDATION:

For information.

Memorandum



FEDERAL GOVERNMENT

Subject

Request to Conduct an Expedite
Background Investigation re:
Bernard Fensterwald, Jr.

Date

MAY 18 1984

To

Lloyd E. Dean
Security Programs Manager
Federal Bureau of Investigation

From

D. Jerry Rubino
Department Security Officer

Attached please find investigative forms (excluding fingerprint cards) for Bernard Fensterwald, Jr., a historical researcher requesting access to Department of Justice information.

It is requested that this background investigation be completed no later than June 15, 1984. Should you have any questions regarding this matter, please have a member of your staff contact

[redacted] on [redacted].

Attachments

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HEREIN IS UNCLASSIFIED
DATE 8/5/94 BY 5668 SLJ/dmj

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NOT RECORDED
17 MAY 23 1984

SECURITY PROGRAMS UNIT

57 JUN 24 1985

Standard Form 86

AUGUST 1964
U.S. CIVIL SERVICE COMMISSION
(F.P.M. CHAPTER 736)
86-107SECURITY INVESTIGATION DATA
FOR SENSITIVE POSITION

SERIAL NO. (CSC use only)

INSTRUCTIONS.—Prepare in triplicate, using a typewriter. Fill in all items. If the answer is "No" or "None," so state. If more space is needed for any item, continue under item 28.

1. FULL NAME (Initials and abridgements of full name are not acceptable. If no middle name, show "(NMN)"; if initials only, show "(no given or middle name)".)		(LAST NAME) FENSTERWALD	(FIRST NAME) Bernard, Jr.	(MIDDLE NAME) -----	2. DATE OF BIRTH August 2, 1921	
OTHER NAMES USED. (Maiden name, names by former marriages, former names changed legally or otherwise, aliases, nicknames, etc. Specify which, and show dates used.) NONE					3. PLACE OF BIRTH Nashville, Tenn.	
					4. <input checked="" type="checkbox"/> MALE <input type="checkbox"/> FEMALE	
		5. HEIGHT 5'7"	WEIGHT 145	COLOR EYES Green	COLOR HAIR Brown	
6. <input type="checkbox"/> SINGLE <input checked="" type="checkbox"/> MARRIED <input type="checkbox"/> WIDOW(ER) <input type="checkbox"/> DIVORCED		7. IF MARRIED, WIDOWED, OR DIVORCED, GIVE FULL NAME AND DATE AND PLACE OF BIRTH OF SPOUSE OR FORMER SPOUSE. INCLUDE WIFE'S MAIDEN NAME. GIVE DATE AND PLACE OF MARRIAGE OR DIVORCE. (Give same information regarding all previous marriages and divorces.) 1st Wife: Elizabeth Vosbury, born 4/9/23 in Coronado, CA, married Alexandria, VA on 6/6/47, divorced in Arlington, VA in 1964. 2nd Wife: [redacted], born [redacted]; married Arlington, VA on 8/24/66.				
8. DATES AND PLACES OF RESIDENCE. (If actual places of residence differ from the mailing addresses, furnish and identify both. Begin with present and go back to January 1, 1937. Continue under item 28 on other side if necessary.)						
FROM		TO		NUMBER AND STREET	CITY	STATE
1972		Present		811 Prince Street	Alexandria	VA
1966		1972		4136 N. 27th Street	Arlington	VA
1965		1966		863 N. Kentucky Street	Arlington	VA
1963		1965		1850 Columbia Pike	Arlington	VA
1955		1963		851 N. Lexington St.	Arlington	VA
1954		1955		Triplow Farms	Cambridge	England
1951		1954		851 N. Lexington St.	Arlington	VA
1950		1951		F Street, N.W.	Washington	DC
1946		1950		Harvard Law School	Cambridge	MA
1942		1946		U.S. Navy		
1938		1946		Harvard College	Cambridge	MA
1937-		1938		Leake Avenue	Nashville	TN
9.						
<input checked="" type="checkbox"/> BY BIRTH		<input type="checkbox"/> NATURALIZED		ALIEN REGISTRATION NO.		DATE, PLACE, AND COURT
<input checked="" type="checkbox"/> U.S. CITIZEN		CERT. NO.		PETITION NO.		
		<input type="checkbox"/> DERIVED-PARENTS CERT. NO(S).				
<input type="checkbox"/> ALIEN		REGISTRATION NO.		NATIVE COUNTRY		DATE AND PORT OF ENTRY
10. EDUCATION. (All schools above elementary.)						
NAME OF SCHOOL		ADDRESS		FROM (Year)	TO (Year)	DEGREES
Duncan Preparatory		Nashville, TN		1933	1938	High School
Harvard College		Cambridge, MA		1938	1942	BS
Harvard Law School		Cambridge, MA		1946	1949	LLB
School of Advanced International Studies		Washington, DC		1946	1950	MA
Cambridge University		Cambridge, England		1954	1955	None
ALL FBI INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 8/5/94 BY 5608SLD/dmj						
11. THIS SPACE FOR FBI USE. (See also item 29.)				12. SOCIAL SECURITY NUMBER 414-22-1934		
				13. MILITARY SERVICE (Past or present)		
		SERIAL NO. (If none, give grade or rating at separation)		BRANCH OF SERVICE (Army, Navy, Air Force, etc.)		FROM (Yr.) TO (Yr.)
		142274 (LT)		Navy		1941 1946

4

26a. REFERENCES. (Name three persons, not relatives or employers, who are aware of your qualifications and fitness.)

NAME IN FULL	HOME ADDRESS	BUSINESS ADDRESS	YEARS KNOWN
John Henry Faulk	1713 Channel Rd., Austin, Texas		30
			25
			30

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26b. CLOSE PERSONAL ASSOCIATES. (Name three persons, such as friends, schoolmates or colleagues, who know you well.)

NAME IN FULL	HOME ADDRESS	BUSINESS ADDRESS	YEARS KNOWN
Fred Cooke	722 Fernmere, Interlaken, New Jersey		15
			15
			15

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27. TO YOUR KNOWLEDGE, HAVE YOU EVER BEEN THE SUBJECT OF A FULL FIELD OR BACKGROUND PERSONAL INVESTIGATION BY ANY AGENCY OF THE FEDERAL GOVERNMENT? ☒ YES ☐ NO. (If your answer is "Yes," show in item 28, (1) the name of the investigating agency (2) the approximate date of investigation, and (3) the level of security clearance granted, if known.)

28. SPACE FOR CONTINUING ANSWERS TO OTHER QUESTIONS. (Show item numbers to which answers apply. Attach a separate sheet if there is not enough space here.)

Answer to #27: U.S. Navy 1942-1962, various investigations.
FBI 1949-1969, various investigations

29. REPORT OF INFORMATION DEVELOPED. (This space reserved for FBI use.) DATE:

Before signing this form check back over it to make sure you have answered all questions fully and correctly.

CERTIFICATION

I CERTIFY that the statements made by me on this form are true, complete, and correct to the best of my knowledge and belief, and are made in good faith.

False statement on this form is punishable by law.

May 10, 1984 (DATE) B. J. Fensterwald Jr. (SIGNATURE—Sign original and first carbon copy)

INFORMATION TO BE FURNISHED BY AGENCY

INSTRUCTIONS TO AGENCY: See Federal Personnel Manual Chapter 736 and FPM Supplement 296-31, Appendix A, for details on when this form is required and how it is used. If this is a request for investigation before appointment, insert "APPL" in the space for Date of Appointment and show information about the proposed appointment in the other spaces for appointment data. The original and the first carbon copy should be signed by the applicant or appointee. Submit the original and the unsigned carbon copy of the form, Standard Form 87 (Fingerprint Chart), and any investigative information about the person received on voucher forms or otherwise, to the United States Civil Service Commission, Bureau of Personnel Investigations, Washington, D.C., 20415. If this is a request for full field security investigation, submit these forms to the attention of the Division of Reimbursable Investigations; if this is a request for preappointment national agency checks, submit these forms to the attention of the Control Section.

RETAIN THE CARBON COPY OF STANDARD FORM 86 (SIGNED BY THE APPLICANT OR APPOINTEE) FOR YOUR FILES

DATE OF APPOINTMENT	TYPE OF APPOINTMENT <input type="checkbox"/> EXCEPTED <input type="checkbox"/> COMPETITIVE. (Include indefinite and temporary types of competitive appointments.)	CIVIL SERVICE REGULATION NUMBER OR OTHER APPOINTMENT AUTHORITY	TITLE OF POSITION AND GRADE OR SALARY
DEPARTMENT OR AGENCY	DUTY STATION	SEND RESULTS OF PREAPPOINTMENT CHECK TO:	
THIS IS A SENSITIVE POSITION			
(SIGNATURE AND TITLE OF AUTHORIZED AGENCY OFFICIAL)			

☆ GPO : 1980 - 311-153 (6007)

14. HAVE YOU EVER BEEN DISCHARGED FROM THE ARMED FORCES UNDER OTHER THAN HONORABLE CONDITIONS? ☐ YES ☒ NO.
(If answer is "Yes," give details in item 28.)

15. EMPLOYMENT. (List ALL employment dates starting with your present employment. Give both month and year for all dates. Show ALL dates and addresses when unemployed. Give name under which employed if different from name now used.)

FROM	TO	NAME OF EMPLOYER (Firm or agency) AND SUPERVISOR (Full name, if known)	ADDRESS (Where employed)	TYPE OF WORK	REASON FOR LEAVING
1969	Present	Self-employed as attorney	Washington, DC	General Law	
1969	Present	Self-employed as attorney	Arlington, VA	General Law	
1959	1969	Judiciary Committee of U.S. Senate	Washington, DC	Legal	Private Practice
1957	1959	Admin.Asst. to U.S. Senator Thomas C. Hennings	Washington, DC	Admin.	Promotion
1950-	1956	U.S. Dept. of State	Washington, DC	Legal	
1942-	1946	U.S. Navy			

16. HAVE YOU EVER BEEN DISCHARGED (FIRED) FROM EMPLOYMENT FOR ANY REASON? ☐ YES ☒ NO.

17. HAVE YOU EVER RESIGNED (QUIT) AFTER BEING INFORMED THAT YOUR EMPLOYER INTENDED TO DISCHARGE (FIRE) YOU FOR ANY REASON? ☐ YES ☒ NO.
(If your answer to 16 or 17 above is "Yes" give details in item 28. Show the name and address of employer, approximate date, and reasons in each case. This information should agree with the statements made in item 15—EMPLOYMENT.)

18. HAVE YOU EVER BEEN ARRESTED, TAKEN INTO CUSTODY, HELD FOR INVESTIGATION OR QUESTIONING, OR CHARGED BY ANY LAW ENFORCEMENT AUTHORITY? (You may omit: (1) Traffic violations for which you paid a fine of \$30 or less; and (2) anything that happened before your 16th birthday. All other incidents must be included, even though they were dismissed or you merely forfeited collateral.) ☐ YES ☒ NO.

IF YOUR ANSWER IS "YES," GIVE FULL DETAILS BELOW:

DATE	CHARGE	PLACE	LAW ENFORCEMENT AUTHORITY	ACTION TAKEN
------	--------	-------	------------------------------	--------------

Several traffic violations - details forgotten -

19. HAVE YOU EVER HAD A NERVOUS BREAKDOWN OR HAVE YOU EVER HAD MEDICAL TREATMENT FOR A MENTAL CONDITION? ☐ YES ☒ NO.
(If your answer is "Yes," give details in item 28.)

20. FOREIGN COUNTRIES VISITED (SINCE 1930). (Exclusive of military service.)

COUNTRY	DATE LEFT U.S.A.	DATE RETURNED U.S.A.	PURPOSE
Virtually every country in North and South America, Europe, and Asia, including USSR and China. Purpose generally for vacation but some trips on business.			

21. ARE YOU NOW, OR HAVE YOU EVER BEEN, A MEMBER OF THE COMMUNIST PARTY, U.S.A., OR ANY COMMUNIST OR FASCIST ORGANIZATION? ☐ YES ☒ NO.

22. ARE YOU NOW OR HAVE YOU EVER BEEN A MEMBER OF ANY FOREIGN OR DOMESTIC ORGANIZATION, ASSOCIATION, MOVEMENT, GROUP, OR COMBINATION OF PERSONS WHICH IS TOTALITARIAN, FASCIST, COMMUNIST, OR SUBVERSIVE, OR WHICH HAS ADOPTED, OR SHOWS, A POLICY OF ADVOCATING OR APPROVING THE COMMISSION OF ACTS OF FORCE OR VIOLENCE TO DENY OTHER PERSONS THEIR RIGHTS UNDER THE CONSTITUTION OF THE UNITED STATES, OR WHICH SEEKS TO ALTER THE FORM OF GOVERNMENT OF THE UNITED STATES BY UNCONSTITUTIONAL MEANS? ☐ YES ☒ NO.

23. IF YOUR ANSWER TO QUESTION 21 OR 22 ABOVE IS "YES," STATE THE NAMES OF ALL SUCH ORGANIZATIONS, ASSOCIATIONS, MOVEMENTS, GROUPS, OR COMBINATIONS OF PERSONS AND DATES OF MEMBERSHIP. IN ITEM 28 OR ON A SEPARATE SHEET TO BE ATTACHED TO AND MADE A PART OF THIS FORM, GIVE COMPLETE DETAILS OF YOUR ACTIVITIES THEREIN AND MAKE ANY EXPLANATION YOU DESIRE REGARDING YOUR MEMBERSHIP OR ACTIVITIES.

NAME IN FULL	ADDRESS	FROM	TO	OFFICE HELD
--------------	---------	------	----	-------------

24. MEMBERSHIP IN OTHER ORGANIZATIONS. (List all organizations in which you are now a member or have been a member, except those which show religious or political affiliations.) (If none, so state.)

NAME IN FULL	ADDRESS	TYPE	FROM	TO	OFFICE HELD
D.C. Bar	Washington, DC	Legal	1950	Present	None
VA Bar	Arlington, VA	Legal	1981	Present	None
Alexandria Community Y	Alexandria, VA		1980s	Present	Chairman of Y's Men
Boy Scouts of America	Nashville, TN		1930s		

25. RELATIVES. (Parents, spouse, divorced spouse, children, brothers, and sisters, living or dead. Name of spouse should include maiden name and any other names by previous marriage. If person is dead, state "dead" after relationship and furnish information for other columns as of time of death.)

RELATION	NAME IN FULL	YEAR OF BIRTH	ADDRESS	COUNTRY OF BIRTH	PRESENT CITIZENSHIP
Spouse				USA	USA
Son				USA	USA
Sister	Ann Fensterwald Eisenstein	1918	1108 Nichol Lane Nashville, TN	USA	USA
Father	Bernard Fensterwald, Sr.	1890	(dead)	USA	
Mother	Blanch Lindauer Fensterwald	1892	(dead)	USA	

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To Whom It May Concern:

In connection with the background investigation being conducted by the Federal Bureau of Investigation, I hereby authorize any Special Agent or other authorized representative of the Federal Bureau of Investigation bearing this release, or copy thereof, within one year of its date, to obtain any information in your files pertaining to my State Bar, grievance records, employment, military, credit or educational records including, but not limited to, academic, achievement, attendance, athletic, personal history and disciplinary records; medical records, and credit records. I hereby direct you to release such information upon request of the bearer. This release is executed with full knowledge and understanding that the information will be used in connection with the consideration of my employment by the U.S. Department of Justice and will be disseminated to those individuals or agencies directly involved in this determination or to fulfill other obligations imposed by law, regulation or presidential directive or executive order. I hereby release you, as the custodian of such records, and any school, college, university, or other educational institution, hospital, or other repository of medical records, credit bureau, consumer reporting agency, or retail business establishment including its officers, employees, or related personnel, both individually and collectively, from any and all liability for damages of whatever kind, which may at time result to me, my heirs, family or associates because of compliance with this authorization and request to release information, or any attempt to comply with it. Should there be any question as to the validity of this release, you may contact me as indicated below.

Full Name:

B. Fensterwald Jr.
(Signature)

Full Name:

Bernard Fensterwald, Jr.

(Type or print)

Parent or Guardian:

(If Required)

Date:

May 10, 1984

Current Address:

811 Prince Street

Alexandria, Virginia 22314

Telephone Number:

703-548-8479

Bar Membership(s):

State District of Columbia Registration Number 45625

Virginia

022000

ALL FBI INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 8/5/94 BY 5068 JH/dmj

FEDERAL BUREAU OF INVESTIGATION
Records/Operations Sections

5/23, 1984

- ☐ Name Searching Unit, 4543, TL# 115
☒ Service Unit, 4554, TL# 225
☐ Special File Room, 5991, TL# 122
☐ Forward to File Review, 5447, TL# 143
☐ Attention _____
☒ Return to _____

EX-2193

5432 243
 Supervisor, Room, TL#, Ext. _____

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Type of Search Requested: (Check One)

- ☒ Restricted Search (Active Index - 5 & 20)
☐ Restricted Search (Active & Inactive Index - 5 & 30)
☐ Unrestricted (Active & Inactive Index)

Special Instructions: (Check One)

- ☒ All References (Security & Criminal)
☐ Security Search
☐ Criminal Search
☐ Main _____ References Only
☐ Exact Name Only (On the Nose)
☐ Buildup ☐ Variations
☐ Restricted to Locality of _____

Subject Bernard Fensterwald, Jr.

Birthdate & Place 8/2/21, Nashville, TENN.

Address 811 Prince St., Alexandria
Virginia

Localities _____

R# _____

Date

5-23

Searcher

Initials

D

Prod. _____

FILE NUMBER

SERIAL

I	77-44206
I	190-9532
X	190-43505
I	197-182
X	197-1947
I	197-4238
I	62-112687-1 Sub 1-6-69
I	77-44206-34 " 3-30-59
I	36 " 10-27-64
I	44-38861-5942
I	62-92919
I	62-587-1241
I	1250
I	1258
I	62-23533-9496
I	62-38958-108
I	62-99828-80
I	-81
I	99

ALL INFORMATION CONTAINED
 HEREIN IS UNCLASSIFIED
 DATE 8/5/94 BY 5468 SLD/ajg

NUMEROUS REFERENCE

SEARCH SLIP

Subj: BERNARD FENSTERWALD

Supervisor _____ Room _____

R# _____ Date 5-23 Searcher Initial D

Prod. _____

FILE NUMBER		SERIAL
<u>I</u>	<u>62-99828-100</u>	
<u>I</u>	<u>101</u>	
<u>I</u>	<u>155</u>	
<u>I</u>	<u>156</u>	
<u>I</u>	<u>185</u>	
<u>I</u>	<u>199</u>	
<u>I</u>	<u>202</u>	
<u>I</u>	<u>204</u>	
<u>I</u>	<u>212</u>	
<u>I</u>	<u>213</u>	
<u>I</u>	<u>218</u>	
<u>I</u>	<u>220</u>	
<u>I</u>	<u>232</u>	
<u>I</u>	<u>245</u>	
<u>I</u>	<u>250</u>	
<u>I</u>	<u>267</u>	
<u>I</u>	<u>270</u>	
<u>I</u>	<u>282</u>	
<u>I</u>	<u>294</u>	
<u>I</u>	<u>313</u>	
<u>I</u>	<u>314</u>	
<u>I</u>	<u>325</u>	
<u>I</u>	<u>331</u>	

III

4-22a (11-17-59)

NUMEROUS REFERENCE

SEARCH SLIP

Subj: BERNARD, Fensterwald

Supervisor _____ Room _____

R# _____ Date 5-23 Searcher Initial D

Prod. _____

	FILE NUMBER	SERIAL
I	62-99828-347	
I		366
I		371
I		384
I		387
I		392
I		398
I		404
	62-102241-45	
I	62-109660-6643	
I		6651
I		6930 Excl P60
I		-A WASH Post Times 1-3-69
I	62-112697-4 Excl P10	
I		7
I		16
I		17
I		18
I		19
I		24
I		26
I		30 Excl P3
I		34

IV

4-22a

11-17-59

NUMEROUS REFERENCE

SEARCH SLIP

Subj: BERNARD FENSTERMAK

Supervisor _____ Room _____

R# _____ Date 5-23 Searcher Initial D

Prod. _____

	FILE NUMBER	SERIAL
	<u>62-112697-A WASH Daily NEWS 3-18-69</u>	
<u>I</u>	<u>A</u>	<u>326-69</u>
<u>I</u>	<u>A LA TIMES</u>	<u>3-18-69</u>
<u>I</u>	<u>62-113909-40</u>	
<u>I</u>	<u>63-0-34934</u>	
<u>I</u>	<u>91-18339-62</u>	
<u>I</u>	<u>63</u>	
<u>I</u>	<u>66</u>	
<u>I</u>	<u>95-230865-5</u>	
<u>I</u>	<u>105-82555-5669</u>	
<u>I</u>	<u>5670</u>	
<u>I</u>	<u>5682</u>	
<u>I</u>	<u>5683</u>	
<u>I</u>	<u>5684</u>	
<u>I</u>	<u>5685</u>	
<u>I</u>	<u>5686</u>	
<u>I</u>	<u>5687</u>	
<u>I</u>	<u>5708</u>	
<u>I</u>	<u>5709</u>	
<u>I</u>	<u>5710</u>	
<u>I</u>	<u>5711</u>	
<u>I</u>	<u>5715</u>	
<u>I</u>	<u>5718</u>	

NUMEROUS REFERENCE

SEARCH SLIP

Subj: BERNARD Fensterwald

Supervisor _____ Room _____

R# _____ Date 5-23 Searcher Initial D

Prod. _____

FILE NUMBER	SERIAL
<u>I</u> 105-209024-85	
<u>I</u> 93	
<u>I</u> 105-214399-3	
<u>I</u> 4	
<u>I</u> 6	
<u>I</u> 140-0-85797	
<u>I</u> 140-24705-10 P24	
<u>I</u> 190-0-40122	
<u>I</u> 40850	
<u>I</u> 190-2-81160	
<u>I</u> 190-4-206	
<u>I</u> 190-709-72X11	
<u>I</u> 226X2	
<u>I</u> 190-4629-2	
<u>I</u> 190-4438-2	
<u>I</u> 190-5581-29	
<u>I</u> 35	
<u>I</u> 190-6118-83	
<u>I</u> 99	
<u>I</u> 190-7738-5	
<u>I</u> 190-14799-4	
<u>I</u> -21	
<u>I</u> 190-18980-15	

SEARCH SLIP

Prod. _____

SERIAL

FBI/DOJ

**FEDERAL BUREAU OF INVESTIGATION
Records/Operations Sections**

, 19__

- ☐ Name Searching Unit, 4543, TL# 115
☐ Service Unit, 4654, TL# 225
☐ Special File Room, 5991, TL# 122
☐ Forward to File Review, 5447, TL# 143
☐ Attention _____
☐ Return to _____

Supervisor, Room, TL#, Ext.

Type of Search Requested: (Check One)

- ☐ Restricted Search (Active Index - 5 & 20)
☐ Restricted Search (Active & Inactive Index - 5 & 30)
☒ Unrestricted (Active & Inactive Index)

Special Instructions: (Check One)

- ☒ All References (Security & Criminal)
☐ Security Search
☐ Criminal Search
☐ Main _____ References Only
☐ Exact Name Only (On the Nose)
☐ Buildup ☐ Variations
☐ Restricted to Locality of _____

Subject Foster, David, Bernard Jr.

Birthdate & Place _____

Address _____

Localities _____

R# _____

Date 5-23-84

Searcher

Initials SOH

Prod. _____

FILE NUMBER

SERIAL

	77-44206	I
	190-9532	
	190-43505	
	190-182	
	107-1947	
	107-0238	I
	62-112597-1	Summ 2-6-69 I
	77-44206-34	Summ 3-20-59
	-36	Summ 10-27-60
	47-55254	
	105-40852	I
	44-38861-5942, 5878	
	62-0-92919	I I
	62-587-1241, 1250, 1258	
	62-23533-9496	
	62-33058-108	
	62-102201-45	I I
	62-109060-6643, 6651, 6630 and 60	

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 8/5/94 BY 5068 Sph

NUMEROUS REFERENCE

SEARCH SLIP

Subj: Feusterwald, Bernard Jr.

Supervisor _____ Room _____

R# _____ Date 5-23-84 Searcher Initial 500

Prod. _____

FILE NUMBERSERIAL

I	62-99828-80, 81, 99, 100, 101, 155, 156
I	-185, 199, 202, 204, 205, 213, 218
I	-220, 232, 245, 250, 267, 270
I	-282, 294, 313, 314, 325, 331
I	-347, 366, 371, 384, 387, 392
I	-398, 400,
I	62-109060-A Wash Post Times Herald 1-3-69
I	62-112697-Wash Post 7, 16, 17, 19, 19, 20
	-26, 30 pp 31, 32
I	-A Wash Daily News 3-18-64
I	-A (no newspaper) 3-28-64
I	-A L.A. Times 3-18-64
I	62-113909-40
I	63-0-34934 I I
I	9-18339-62, 63, 66
I	95-230865-5
I	105-82555-5669, 5670, 5682, 5683, 5684
I	-5685, 5686, 5687, 5708, 5709
I	-5710, 5711, 5715, 5718
I	105-209024-85, 93
I	105-214394-3, 4, 6
I	140-0-85797

NUMEROUS REFERENCE

SEARCH SLIP

Subj: Fensterwald, Bernard Jr

Supervisor _____ Room _____

R# _____ Date 5-23-84 Searcher Initial 504

Prod. _____

FILE NUMBERSERIAL

I	140-24705-10,24	
I	140-0-40122, 40850 ^I	
I	140-2-81160	
I	140-4-206	
I	140-709-7284; 82682	
I	140-6029-2	
I	140-6438-2	
I	140-5581-29,35 ^I	
I	140-6118-83,99	
I	140-7738-5	
I	140-14799-4,21 ^I	
I	140-8980-15 ^I	
I	140-21085-3,7X,20,26 ^{I I}	
I	140-25460-52	
I	140-27171-12	
I	140-28876-3,4 ^I	
I	140-122-30104	
I	CU-22861-A Wash Post - Times Herald 6-25-70	
I	-A (no number) 6-8-70	
I	67-55254-1	
I	65-2100-2590	
I	76-25631-28	

NUMEROUS REFERENCE

SEARCH SLIP

Subj: Fensterwald, Bernard Jr.

Supervisor _____ Room _____

R# _____ Date 5-23-80 Searcher Initial 500

Prod. _____

FILE NUMBER

SERIAL

I	72-1404-A	EVENING STAR 3-6-65
	-A (newspaper Nov 3-15-65)	
I	94-55956-20	
I	105-50350-3	
	B. (aka)	
	SI	
	B.A. (aka)	
	SI	
	Bernard J. (Bu)	
I	190-4-30 ep 48	
	Bud (aka)	
I	62-99828-39C	
	Burch (aka)	
I	105-209024-73	
	Fensterwald + Bernard (Nov)	
I	62-99828-75	

FEDERAL BUREAU OF INVESTIGATION
Records/Operations Sections

, 19

- ☐ Name Searching Unit, 4543, TL# 115
☐ Service Unit, 4654, TL# 225
☐ Special File Room, 5991, TL# 122
☐ Forward to File Review, 5447, TL# 143
☐ Attention _____
☐ Return to _____

Supervisor, Room, TL#, Ext.

Type of Search Requested: (Check One)

- ☐ Restricted Search (Active Index - 5 & 20)
☐ Restricted Search (Active & Inactive Index - 5 & 30)
☒ Unrestricted (Active & Inactive Index)

Special Instructions: (Check One)

- ☒ All References (Security & Criminal)
☐ Security Search
☐ Criminal Search
☐ Main _____ References Only
☐ Exact Name Only (On the Nose)
☐ Buildup ☐ Variations
☐ Restricted to Locality of _____

Subject Yosbury, Elizabeth

Birthdate & Place _____

Address _____

Localities _____

R# _____

Date 5-23-84

Searcher

Initials 504

Prod. _____

FILE NUMBER

SERIAL

ALL INFORMATION CONTAINED

HEREIN IS UNCLASSIFIED

DATE 8/5/94 BY 5668 SLD/dmyFensterwald, B. Aug

77-44206-5, 10

, 19

Supervisor, Room, TL#, Ext.

TRANSMIT VIA: AIRTEL

CLASSIFICATION: _____

DATE: 5/24/84

FROM: Director, FBI (77-NEW) ✓

gcs/saw

TO: SACs, Alexandria
 Baltimore
 Boston
 Houston
 Memphis
 Newark
 Pittsburgh
 St. Louis
 Washington Field Office
 Legat, London

C
 BERNARD FENSTERWALD, JR.
 CONTRACT PERSONNEL INVESTIGATION
 OO: BUREAU
 BUDED: 6/8/84; 7/9/84

ALL INFORMATION CONTAINED
 HEREIN IS UNCLASSIFIED
 DATE 8/5/94 BY 5668 Srd/dmj

The Department of Justice has approved the initiation of a full-field background investigation on captioned individual, who is a self-employed Historical Researcher in Washington, D.C., who will need access to classified national security information.

Enclosed for receiving offices is an SF-86, "Security Investigation Data for Sensitive Position," and an FD-406, Authority to Release Information." Conduct investigation in accordance with instructions contained in Part I, Section 77, and Part II, Section 17, Manual of Investigative Operations and Guidelines. Assign case immediately. Report of completed investigation must be submitted to reach FBIHQ, Security Programs Unit, Room 5432, by BUDED. Credit and arrest checks for applicant and relatives must be submitted by 6/8/84, without fail in order that he may be granted an interim security clearance which will allow him access to classified information. (2)

Enclosures (2)

MAILED 1
 MAY 25 1984

Exec AD Inv. _____
 Exec AD Adm. _____
 Exec AD LES _____
 Asst. Dir.: 1 - _____
 Adm. Servs. _____
 Crim. Inv. _____
 Ident. JSD:sc
 Intell. (22)
 Laboratory _____
 Legal Coun. _____
 Plan. & Insp. _____
 Rec. Mgnt. _____
 Tech. Servs. _____
 Training _____
 Public Affs. Off. _____
 Telephone Rm. _____
 Director's Sec'y _____

MAIL ROOM ☐

77-44206-50X
 RETURN TO _____
 ROOM 5432, TL 243

NOT RECORDED

2 APR 26 1985

b6
b7C

FBI/DO

FBI/DOJ

SL0016 153 0111Z

PP HQ

DE SL

P 231131Z MAY 84

FM ST. LOUIS (77D-M) (P)

TO DIRECTOR PRIORITY

BT

UNCLAS E F T O

1 JUN 84 10 52

FEDERAL BUREAU
OF INVESTIGATION

ALL INFORMATION CONTAINED

HEREIN IS UNCLASSIFIED

DATE 8/5/94 BY 5668 SD/dmj

Exec. AD-Adm.	
Exec. AD-Inv.	
Exec. AD-LES	
Asst. Dir.:	
Adm. Servs.	
Crim. Inv.	
Ident.	
Inspection	
Intell.	
Laboratory	
Legal Coun.	
Off. of Cong. & Public Affs.	
Rec. Mgnt.	
Tech. Servs.	
Training	
Telephone Rm.	
Director's Sec'y	

BERNARD FENSTERWALD, JR., CONTRACT PERSONNEL INVESTIGATION (C)
BUDED: JUNE 8, 1984; JULY 9, 1984.

RE BUREAU AIRTEL TO ALEXANDRIA, MAY 24, 1984.

ALL INDIVIDUALS CONTACTED WERE APPRISED OF THE PROVISIONS OF THE
PRIVACY ACT, AND THOSE REQUESTING CONFIDENTIALITY HAVE BEEN SO NOTED.

ST. LOUIS GENERAL INDICES DISCLOSE FOLLOWING REFERENCES TO
BERNARD FENSTERWALD, JR.: ST. LOUIS FILE 88-10663-2 (JUNE, 1977),
KNOXVILLE TELETYPE TO BUREAU, JUNE 11, 1977, ENTITLED "JAMES EARL
RAY, AKA; CONSPIRACY TO COMMIT UFAC-ESCAPE, OO: KNOXVILLE", WHICH
INDICATED FENSTERWALD VISITOR TO RAY IN PRISON; ST. LOUIS FILE
190-1 SUB 1-45 (FEBRUARY, 1978), LETTER FROM [REDACTED] 77-44206-50X1

910 - 16TH STREET, N.W., WASHINGTON, D.C., SAC, ST. LOUIS, DATED
JANUARY 27, 1978, CONCERNING FOIA REQUEST PERTAINING TO [REDACTED] 77-44206-50X1

2 APR 26 1985

b6
b7C

57 JUN 24 1985

PAGE TWO SL 77D-M UNCLAS E F T O

INDICATING REQUEST HAD "ALREADY BEEN MADE TO" FBIHQ; AND ST. LOUIS FILE 190-166 (MAY, 1980), ENTITLED "FOIPA REQUESTS FROM BERNARD J. FENSTERWALD, JR., ESQ.", OF WHICH FCAU, ROOM 6289, FBIHQ, IS AWARE.

SINCE BUREAU PREVIOUSLY AWARE OF AFOREMENTIONED REFERENCES, NO FURTHER ACTION BEING TAKEN BY ST. LOUIS CONCERNING SAME, UACB.

INVESTIGATION CONTINUING AT FEDERAL RECORDS CENTER, CIVILIAN AND MILITARY BRANCHES, ST. LOUIS, MISSOURI, AND REPORT WILL BE SUBMITTED TO BUREAU WITH RESULTS OF CHECKS AT THOSE FACILITIES.

BT

FBI

TRANSMIT VIA:

☐ Teletype
☐ Facsimile
☒ AIRTEL

PRECEDENCE:

☐ Immediate
☐ Priority
☐ Routine

CLASSIFICATION:

☐ TOP SECRET
☐ SECRET
☐ CONFIDENTIAL
☐ UNCLAS E F T O
☐ UNCLAS

Date 6/1/84

TO: DIRECTOR, FBI
 ATTENTION: SECURITY PROGRAMS UNIT, ROOM 5432

FROM: SAC, HOUSTON (77D-7638) (RUC)

BERNARD FENSTERWALD, JR.
 CONTRACT PERSONNEL INVESTIGATION
 OO: BUREAU
 BUDED: 6/8/84; 7/9/84

Re Director airtel to AX, et al, 5/24/84.

Enclosed for San Antonio is referenced communication.

No apparent lead for Houston Division inasmuch as Austin, Travis County, Texas is covered by the San Antonio Division.

San Antonio is requested to conduct appropriate investigation in accordance with current instructions.

ALL INFORMATION CONTAINED

HEREIN IS UNCLASSIFIED

DATE 8/5/94 BY 5668 SLD/amy

77-44206-50X2

2 - Bureau (Info.)
 2 - San Antonio (Encs.2)
 1 - Houston
 MAG/mag
 (5)

NOT RECORDED
 13 JUN 6 1984

Approved: 

Transmitted

(Number)

(Time)

Per 

SECURITY PROGRAMS UNIT

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE MEMPHIS	OFFICE OF ORIGIN BUREAU	DATE 6/6/84	INVESTIGATIVE PERIOD 6/5/84
TITLE OF CASE BERNARD FENSTERWALD, JR.		REPORT MADE BY IA 	TYPED BY jh
		CHARACTER OF CASE CONTRACT PERSONNEL INVESTIGATION (C)	

REFERENCE: Bureau airtel 5/25/84.

-RUC-

ADMINISTRATIVE:

Memphis indices negative re Ann Fensterwald
Eisenstein.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 8/5/94 BY 5068 SLD/dmj

ACCOMPLISHMENTS CLAIMED						<input type="checkbox"/> NONE	ACQUIT- TALS	CASE HAS BEEN:
CONVIC.	PRETRIAL DIVERSION	FUG.	FINES	SAVINGS	RECOVERIES			
								PENDING OVER ONE YEAR <input type="checkbox"/> YES <input type="checkbox"/> NO
								PENDING PROSECUTION OVER SIX MONTHS <input type="checkbox"/> YES <input type="checkbox"/> NO

APPROVED <i>MSB/STB</i>	SPECIAL AGENT IN CHARGE	DO NOT WRITE IN SPACES BELOW	
COPIES MADE: 2 - Bureau 1 - Memphis (77C-4946)		77-44206-50X3	
		NOT RECORDED	
		JUN 11 1984	

Dissemination Record of Attached Report					Notations
Agency					
Request Recd.					
Date Fwd.					
How Fwd.					
By	57	JUN 9 1984			

FILED MEMPHIS SEC. SECT.

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to:

Report of: IA [REDACTED]
Date: June 6, 1984

Office: Memphis

b6
b7C

Field Office File #: 77C-4946

Bureau File #:

Title: BERNARD FENSTERWALD, JR.

Character: CONTRACT PERSONNEL INVESTIGATION

Synopsis: Applicant's birth verified. No arrest record for applicant's sister at Nashville, Tennessee.

-RUC-

DETAILSBirth

On June 5, 1984, Mrs. Martha Boone, Office of Vital Records, Department of Health and Environment, State of Tennessee, Nashville, advised the birth of BERNARD FENSTERWALD, JR. on August 2, 1921 at Nashville, Tennessee, is recorded in Volume 17 Page 215 in records of that office; father BERNARD FENSTERWALD, mother's maiden name BLANCH LINDAUER.

Arrest Check

On June 5, 1984, a review of the computerized records of Metropolitan Police Dept., Nashville, Tennessee, located no information identifiable with ANN FENSTERWALD EISENSTEIN, born 1918.

-1*-

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE BOSTON	OFFICE OF ORIGIN BUREAU	DATE 6/8/84	INVESTIGATIVE PERIOD 6/4-5/84
TITLE OF CASE BERNARD FENSTERWALD, JR.		REPORT MADE BY SA [REDACTED]	TYPED BY elmb6 b7C
		CHARACTER OF CASE CONTRACT PERSONNEL INVESTIGATION	

REFERENCE: Bureau airtel Alexandria 5/24/84.

-P-

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED

DATE 8/5/94 BY 56685UD/kry

ADMINISTRATIVE:

All persons contacted were advised of the provisions of the Privacy Act of 1974 and none desired confidentiality. Credit and arrest check conducted by IA [REDACTED].

b6
b7CLEADSBOSTON DIVISIONAT CAMBRIDGE, MASSACHUSETTS

Will forward results of education checks at Harvard University.

ACCOMPLISHMENTS CLAIMED					<input type="checkbox"/> NONE	ACQUIT- TALS	CASE HAS BEEN:
CONVIC.	PRETRIAL DIVERSION	FUG.	FINES	SAVINGS	RECOVERIES		
							PENDING OVER ONE YEAR <input type="checkbox"/> YES <input type="checkbox"/> NO
							PENDING PROSECUTION OVER SIX MONTHS <input type="checkbox"/> YES <input type="checkbox"/> NO

APPROVED *gwb/mlh* SPECIAL AGENT
IN CHARGE

DO NOT WRITE IN SPACES BELOW

COPIES MADE:

- 2 - Bureau (77-NEW)
1 - Boston (77D-19303)

77- 44206 - 50X4

NOT RECORDED
16 JUN 13 1984

Dissemination Record of Attached Report				
Agency				
Request Recd.				
Date Fwd.				
How Fwd.				
By				

Notations

~~EXCLUDED FROM SELECT~~

SECURITY PROGRAMS UNIT

57 JUN 24 1984

A*

COVER PAGE

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to:

Report of: SA [REDACTED]
Date: June 7, 1984

Office: Boston, Massachusetts

b6
b7C

Field Office File #: 77D-19303

Bureau File #:

Title: BERNARD FENSTERWALD, JR.

Character: CONTRACT PERSONNEL INVESTIGATION

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED

DATE 8/5/94 BY 5668 SLD/dmj

Synopsis: Credit and arrest checks reflect no information.

-P-

Details:

CREDIT

On June 4, 1984, MRS. DIANA KELLY, Clerk, Credit Bureau Services, Inc., 6 St. James Avenue, Boston, Massachusetts advised their files contained no record for BERNARD FENSTERWALD, JR., dob 8/2/21, SSAN 414-22-1934.

ARREST

On June 5, 1984, MRS. WANEDA JORDAN, Records Section, Cambridge, Massachusetts Police Department advised their files contained no identifiable information with BERNARD FENSTERWALD, JR., dob 8/2/21.

1*

11 JUN 84 09 46Z

FEDERAL BUREAU
OF INVESTIGATION

Exec AD-Adm.	
Exec AD-Inv.	
Exec AD-LES	
Asst. Dir.:	
Adm. Servs.	
Crim. Inv.	
Ident.	
Insp.	
Intell.	
Laboratory	
Legal Coun.	
Off. Cong. & Public Affs.	
Rec. Mgmt.	
Tech. Servs.	
Training	
Telephone Rm.	
Director's Sec'y	

VZCZCLON504 1630920

P 081455Z JUN 84

FM LEGAL ATTACHE LONDON (77D-939)(P)

TO DIRECTOR FBI (77-NEW) PRIORITY

BT

~~CONFIDENTIAL~~

ATTENTION: SECURITY PROGRAMS UNIT, ROOM 5432

BERNARD FENSTERWALD, JR.; CPI. OO: BUREAU BUDEDS: JUNE 8, 1984;

JULY 9, 1984

COMMUNICATION CLASSIFIED "~~CONFIDENTIAL~~" EXCEPT WHERE NOTED.

ON JUNE 8, 1984 A CONFIDENTIAL SOURCE ABROAD ADVISED [REDACTED]

(U)

ALSO ON JUNE 8, 1984 A SECOND CONFIDENTIAL SOURCE ABROAD ADVISED [REDACTED]

b7D

(U)

77-44 206-50X5

DECLASSIFIED BY 5688 SLB/dmj
ON 8/5/94 (per G-1 guide)

NOT RECORDED

ADMINISTRATIVE:

2 APR 26 1985

REBUAIRTEL MAY 24, 1984.

FIRST CONFIDENTIAL SOURCE ABROAD IS [REDACTED]

b7D

[REDACTED]; AND SECOND SOURCE IS [REDACTED]

1-D

ABD

202 JUN 1984

PAGE TWO LON 77D-939 ~~C O N F I D E N T I A L~~

ON FENSTERWALD'S FORM SF86 EDUCATION LISTED WITH CAMBRIDGE UNIVERSITY, CAMBRIDGE, ENGLAND, FROM 1954 TO 1955. IT'S NECESSARY TO HAVE THE NAME OF THE COLLEGE ATTENDED IN ORDER THAT EDUCATION BE VERIFIED; IT WOULD ALSO BE HELPFUL TO KNOW IF DEGREE WAS AWARDED AND SUBJECTS ATTENDED.

BUREAU REQUESTED TO OBTAIN ABOVE INFORMATION AND FURNISH AS SOON AS POSSIBLE. //

SECURITY CHECK BEING CONDUCTED; RESULTS WILL BE SUBMITTED AS SOON AS RECEIVED.

~~CLASSIFIED BY G-1; DECL: OADR.~~

BT

*Cambridge
Law School.
no degree awarded*

NNNN

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE BALTIMORE	OFFICE OF ORIGIN BUREAU	DATE 6/13/84	INVESTIGATIVE PERIOD 6/11/84
TITLE OF CASE BERNARD FERNSTERWALD, JR. <i>Bernard Fensterwald Jr.</i>		REPORT MADE BY CLERK, [REDACTED]	TYPED BY b6 dj b7C
		CHARACTER OF CASE CONTRACT PERSONNEL INVESTIGATION 4	

REFERENCE: Bureau airtel to Baltimore dated, 5/24/84.

-RUC-

ADMINISTRATIVE DATA: BUDED: 6/8/84; 7/9/84

No one contacted requested confidentiality under the provisions of the Privacy Act.

Baltimore indices negative re applicant.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED

DATE 8/5/94 BY 5668 SLD/dmj

ACCOMPLISHMENTS CLAIMED						<input type="checkbox"/> NONE	ACQUIT- TALS	CASE HAS BEEN: PENDING OVER ONE YEAR <input type="checkbox"/> YES <input type="checkbox"/> NO PENDING PROSECUTION OVER SIX MONTHS <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
CONVIC.	PRETRIAL DIVERSION	FUG.	FINES	SAVINGS	RECOVERIES			
APPROVED <i>[Signature]</i>						SPECIAL AGENT IN CHARGE		
COPIES MADE:						DO NOT WRITE IN SPACES BELOW		
2 - Bureau (ATTN: SPU, Room 5432) 1 - Baltimore (77C-FM) (SQ. 9)						77-44206-50X6 DEJ NOT RECORDED 16 JUN 14 1984 V-40		
Dissemination Record of Attached Report						Notations		
Agency						SECUR PROGRAMS UNIT		
Request Recd.								
Date Fwd.								
How Fwd.								
By								

1127 MAR 4 1986

COVER PAGE

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to:

Report of: CLERK, [REDACTED] Office: BALTIMORE
Date: June 13, 1984
Field Office File #: 77C-FM Bureau File #:
Title: BERNARD FERNSTERWALD, JR.

b6
b7C

Character: CONTRACT PERSONNEL INVESTIGATION

Synopsis:

DCII was checked on 6/11/84 without locating any record of applicant.

-RUC-

DETAILS:

The Defense Central Index of Investigations (DCII) is a computerized index of applicant, security and criminal investigative files compiled by the Department of Defense (DOD). On June 11, 1984, a search of the DCII was conducted in regard to applicant by the DCII computer operator at Fort George G. Meade, Maryland. Review of the resulting DCII printout disclosed no record of applicant.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 8/5/94 BY 5668 SLD/dmg

1*

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE BOSTON	OFFICE OF ORIGIN BUREAU	DATE 6/13/84	INVESTIGATIVE PERIOD 6/7-11/84
TITLE OF CASE BERNARD FENSTERWALD, JR.		REPORT MADE BY SA 	TYPED BY elm b6 b7C
		CHARACTER OF CASE CONTRACT PERSONNEL INVESTIGATION	

REFERENCE: Buairtel Alexandria 5/24/84. Boston report SA 6/8/84.

-RUC-

ADMINISTRATIVE:

All persons contacted in this matter were advised of the provisions of the Privacy Act of 1974 and none desired confidentiality.

Investigation was conducted by SA .

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 8/5/94 BY 5668 SLD/dmj

ACCOMPLISHMENTS CLAIMED						<input type="checkbox"/> NONE	ACQUIT- TALS	CASE HAS BEEN:
CONVIC.	PRETRIAL DIVERSION	FUG.	FINES	SAVINGS	RECOVERIES			
								PENDING OVER ONE YEAR <input type="checkbox"/> YES <input type="checkbox"/> NO PENDING PROSECUTION OVER SIX MONTHS <input type="checkbox"/> YES <input type="checkbox"/> NO

APPROVED <i>2WB/MLH</i> COPIES MADE: 2 - Bureau (77-NEW) 1 - Boston (77D-19303)	SPECIAL AGENT IN CHARGE	DO NOT WRITE IN SPACES BELOW <div style="font-size: 2em; font-weight: bold; text-align: center;">77-44206-50X7</div> <div style="text-align: center;">NOT RECORDED 10 JUN 18 1984</div>
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Dissemination Record of Attached Report					Notations
Agency					
Request Recd.					
Date Fwd.					
How Fwd.					
By					

57 JUN 24 1985

A*

COVER PAGE

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to:

Report of: SA [REDACTED]
Date: June 13, 1984Office: Boston, Massachusetts b6
b7C

Field Office File #: 77D-19303

Bureau File #:

Title: BERNARD FENSTERWALD, JR.

Character: CONTRACT PERSONNEL INVESTIGATION

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 8/5/94 BY 5668 SD/dmjSynopsis: Education verified at Harvard University and Harvard Law
School.

-RUC-

Details:

On June 7, 1984, LUCILLE DEMIRJIAN, Assistant Registrar, Harvard Law School, advised that records reflect BERNARD FENSTERWALD, JR., born August 2, 1921 at Nashville, Tennessee attended Harvard Law School from October 21, 1946 through May 21, 1949, at which time a LLB Degree was awarded on June 23, 1949. FENSTERWALD graduated with a "C+," 69, grade point average (below 55 is "F", above 74 is "A"), and a class standing of 103 in 395 total graduates. Upon commencement FENSTERWALD received the Addison Brown Prize for writing the best essay on a designated subject of marine or private international law. There was no derogatory information contained in the file.

On June 11, 1984, MARY CROWLEY, Certification Secretary, Harvard University, Holyoke Center, 1350 Massachusetts Avenue, Cambridge, Massachusetts, advised records reflect that BERNARD FENSTERWALD, JR. born August 2, 1921, at Nashville, Tennessee, attended Harvard University from September 1938 until his graduation on June 11, 1942. FENSTERWALD was awarded a Bachelor of Science degree in the major field of government. FENSTERWALD graduated magna cum laude; no grade point average or class standing was maintained. No derogatory information was noted in the file.

14 JUN 84 15 40Z

FEDERAL BUREAU
OF INVESTIGATION

~~SECRET~~

Mr. Tolson	
Mr. DeLoach	
Mr. Mohr	
Mr. Bishop	
Mr. Casper	
Mr. Callahan	
Mr. Conrad	
Mr. Felt	
Mr. Gale	
Mr. Rosen	
Mr. Sullivan	
Mr. Tavel	
Mr. Trotter	
Tele. Room	
Director's Sec'y	

VZCZCLON531 1661515

P 141457Z JUN 84

FM LEGAL ATTACHE LONDON (77D-939)(P)

TO DIRECTOR FBI (77-NEW) PRIORITY

BT

~~CONFIDENTIAL~~

8/3/94
Classified by 5668 SLD/dny
Declassify on: OADR (per 6-1)
CA # 94-0655 HHC

ATTENTION: SECURITY PROGRAMS UNIT, ROOM 5432

BERNARD FENSTERWALD, JR.; CPI. OO: BUREAU BUDED: JULY 9, 1984

COMMUNICATION CLASSIFIED "~~CONFIDENTIAL~~" EXCEPT WHERE NOTED.

ON JUNE 14, 1984 A CONFIDENTIAL SOURCE ABROAD ADVISED [REDACTED]

CLASSIFIED DECISIONS FINALIZED BY
DEPARTMENT REVIEW COMMITTEE (DRC)
DATE: 8/23/94 5668 SLD/dny

ADMINISTRATIVE:

REBUAIRTEL MAY 24, 1984; LONTEL TO DIRECTOR JUNE 8, 1984.

CONFIDENTIAL SOURCE ABROAD IS [REDACTED]

[REDACTED] (S) (U)
CLASSIFIED BY G-1, DECL: OADR.

BT

NOT RECORDED

20 APR 26 1985

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

b6
b7C

FBI

TRANSMIT VIA:

- ☐ Teletype
☐ Facsimile
☐ Airtel

PRECEDENCE:

- ☐ Immediate
☐ Priority
☐ Routine

CLASSIFICATION:

- ☐ ~~TOP SECRET~~
☐ ~~SECRET~~
☐ ~~CONFIDENTIAL~~
☐ UNCLAS E F T O
☐ UNCLAS

Date 6/15/84

~~CONFIDENTIAL~~

TO: DIRECTOR, FBI

FROM: SAC, ALEXANDRIA (77D-7102)(P)

BERNARD FENSTERWALD, JR.
CONTRACT PERSONNEL INVESTIGATION

8/3/94
Classified by 5668 SLD/dmj
Declassify on: OADR
CA # 94-0655 HHG

Re Bureau airtel to Alexandria, 5/24/84.

Alexandria search through ~~confidential~~ indices revealed numerous references to the employee and [REDACTED]. Alexandria indices search produced numerous Freedom of Information Act requests which the employee had initiated. The employee was also identified as a member of the "Committee to Investigate Assassinations, Inc." [REDACTED]

[REDACTED] Alexandria notes that the employee (U) was a former member of the Judiciary Committee of the United States Senate and had also been self-employed as an attorney in the District of Columbia. Alexandria search revealed no other information on any other pertinent individuals.

CREDIT CHECK

On June 6, 1984, IA [REDACTED] caused a search to be made of the files of the CREDIT BUREAU OF NORTHERN VIRGINIA INC., Post Office Box 232, Manassas, Virginia, which covers the Washington Metropolitan area, and was advised that the employee has a satisfactory credit rating.

2- Bureau
1-Alexandria
HEB:plw
(3)

77-44206-50X9

NOT RECORDED

10 JUN 18 1984

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE.

Approved: 990/ES

Transmitted

(Number)

(Time)

Per

SECURITY PROGRAMS UNIT

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE PITTSBURGH	OFFICE OF ORIGIN BUREAU	DATE 6/18/84	INVESTIGATIVE PERIOD 6/4/84 - 6/15/84
TITLE OF CASE BERNARD FENSTERWALD, JR.		REPORT MADE BY IA 	TYPED BY vlm b6 b7C
		CHARACTER OF CASE CONTRACT PERSONNEL INVESTIGATION	

REFERENCE:

Bureau airtel to Alexandria dated 5/24/84.

- RUC -

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 8/5/94 BY 5068 SLD/dmj

ADMINISTRATIVE:

Review of Pittsburgh indices disclosed the following:

PG File: 190-203 entitled "JEAN RENE SOUETRE, aka
Michael Victor Mertz, Michael Roux; BERNARD FENSTERWALD, JR.,
REQUESTER, FOIA MATTER."

Fensterwald requested local indexes and files be
searched regarding Souetre, Mertz, and Roux.

ACCOMPLISHMENTS CLAIMED						<input type="checkbox"/> NONE	ACQUIT- TALS	CASE HAS BEEN:
CONVIC.	PRETRIAL DIVERSION	FUG.	FINES	SAVINGS	RECOVERIES			
								PENDING OVER ONE YEAR <input type="checkbox"/> YES <input type="checkbox"/> NO
								PENDING PROSECUTION OVER SIX MONTHS <input type="checkbox"/> YES <input type="checkbox"/> NO

APPROVED <i>WNY</i>	SPECIAL AGENT IN CHARGE	DO NOT WRITE IN SPACES BELOW	
COPIES MADE: 2 - Bureau 1 - Pittsburgh (77D-9680-162)		77-44206-50X10	
		4 JUN 20 1984	
		SECRETARY <i>SLD</i>	
Dissemination Record of Attached Report		Notations	
Agency			
Request Recd.			
Date Fwd.			
How Fwd.			
By			

PG 77D-9680-162

PG File: 190-0-195 entitled "FOIPA Requests from Bernard J. Fensterwald, Jr., Esquire."

Fensterwald made numerous requests to FBIHQ and various field offices on behalf of J. Gary Shaw and Mark Allen, two JFK Assassination researchers. Directions regarding the handling of these requests were furnished by FBIHQ.

Individuals contacted in this matter were advised of the provisions of the Privacy Act of 1974, and none requested confidentiality.

- B* -

COVER PAGE

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to:

Report of: IA [REDACTED]
Date: 6/18/84

Office: PITTSBURGH, PA.

b6
b7C

Field Office File #: 77D-9680-162

Bureau File #:

Title: BERNARD FENSTERWALD, JR.

Character: CONTRACT PERSONNEL INVESTIGATION

Synopsis:

Office of Personnel Management (OPM) checks
negative.

- RUC -

DETAILS:

On June 15, 1984, [REDACTED] Records
Supervisor, United States Office of Personnel Management
(USOPM), NACI Center, Boyers, Pennsylvania, advised
his indices contain no record for captioned applicant.

b6
b7CALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED

DATE 8/5/94 BY 5668 SLD/dmj

- 1* -

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE WASHINGTON FIELD	OFFICE OF ORIGIN BUREAU	DATE 6/21/84	INVESTIGATIVE PERIOD 5/29/84 - 6/11/84
TITLE OF CASE BERNARD FENSTERWALD JR.		REPORT MADE BY SA [REDACTED]	TYPED BY b6 [REDACTED] b7C [REDACTED]
		CHARACTER OF CASE CONTRACT PERSONNEL INVESTIGATION	

REFERENCE: Buairtel to Alexandria, dated 5/24/84.

- P -

ADMINISTRATIVE: Buded: 6/8/84; 7/9/84.
Police agency checks submitted with Complete report to follow.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 8/5/94 BY 5668 SLD/amy

ACCOMPLISHMENTS CLAIMED						<input type="checkbox"/> NONE	ACQUIT- TALS	CASE HAS BEEN: PENDING OVER ONE YEAR <input type="checkbox"/> YES <input type="checkbox"/> NO PENDING PROSECUTION OVER SIX MONTHS <input type="checkbox"/> YES <input type="checkbox"/> NO
CONVIC.	PRETRIAL DIVERSION	FUG.	FINES	SAVINGS	RECOVERIES			

APPROVED <i>NAZ/low</i>	SPECIAL AGENT IN CHARGE	DO NOT WRITE IN SPACES BELOW
COPIES MADE: 2-Bureau (77-New) 1-WASHINGTON FIELD OFFICE (77D-111784)		77-44206-50X11
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		2 APR 26 1985

Dissemination Record of Attached Report					Notations <i>4/gsp</i>
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By					

57 JUN

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FBI/DOJ

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to:

Report of:
Date:

SA

6/21/84

Office: WASHINGTON, D.C.

b6
b7C

Field Office File #:

77D-111784

Bureau File #: 77-New

Title:

BERNARD FENSTERWALD, JR.

Character:

CONTRACT PERSONNEL INVESTIGATION

Synopsis:

Local police agency checks negative for
applicant and his ex-wife.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 8/5/94 BY 5668 SLD/dmj

WFO 77D-111784
EG:ld

POLICE AGENCIES

On June 7, 1984, IA [REDACTED],
searched the files of the UNITED STATES PARK POLICE and no
identifiable adult criminal or traffic record could be located
regarding the applicant or the following relatives:

b6
b7C

[REDACTED]

b6
b7C

On June 8, 1984, an inquiry was made of the
WASHINGTON AREA LAW ENFORCEMENT SYSTEM (WALES) and it was
determined that no Metropolitan Police Department record was
on file for the applicant or his above listed relatives.
It should be noted that at any time an indefinite number
of records are out of the computer and are unavailable for
review.

On June 11, 1984, IA [REDACTED]
determined that no record was contained in the DEPARTMENT
OF TRANSPORTATION, Bureau of Motor Vehicle services, Government
of the District of Columbia files concerning the applicant.

b6
b7C

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE SAN ANTONIO	OFFICE OF ORIGIN BUREAU	DATE 6/27/84	INVESTIGATIVE PERIOD 6/20/84
TITLE OF CASE BERNARD FENSTERWALD, JR.		REPORT MADE BY SA [REDACTED] b6 b7C	TYPED BY jlg
		CHARACTER OF CASE CONTRACT PERSONNEL INVESTIGATION	

BUDED: 7/9/84

REFERENCE: Bureau airtel to Alexandria, 5/24/84; Houston airtel to Bureau, 6/1/84.

-RUC-

ADMINISTRATIVE:

All persons were apprised of the provisions of the Privacy Act of 1974 and those requesting confidentiality have been so noted.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 8/5/94 BY 5668 S-D/dmj

ACCOMPLISHMENTS CLAIMED						<input type="checkbox"/> NONE	ACQUIT- TALS	CASE HAS BEEN: PENDING OVER ONE YEAR <input type="checkbox"/> YES <input type="checkbox"/> NO PENDING PROSECUTION OVER SIX MONTHS <input type="checkbox"/> YES <input type="checkbox"/> NO
CONVIC.	PRETRIAL DIVERSION	FUG.	FINES	SAVINGS	RECOVERIES			

APPROVED COPIES MADE: ② - Bureau ① - San Antonio (77D-8760)	SPECIAL AGENT IN CHARGE D	DO NOT WRITE IN SPACES BELOW 77-44206-50X12 JUL 10 1984
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Dissemination Record of Attached Report					Notations [Handwritten notes and stamps]
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Date Fwd.					
How Fwd.					
By					

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to:

Report of: SA [REDACTED] Office: SAN ANTONIO, TEXAS b6
Date: 6/27/84 b7C
Field Office File #: SA 77D-8760 Bureau File #:
Title: BERNARD FENSTERWALD, JR.

Character: CONTRACT PERSONNEL INVESTIGATION

Synopsis: Reference comments favorably and recommends.

-RUC-

DETAILS:

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 8/5/94 BY 5668 SLD/dmj

The following investigation was conducted by
Special Agent [REDACTED] on June 20, 1984 at Austin,
Texas:

b6
b7CREFERENCE

JOHN HENRY FAULK, 1713 Channel Road, Austin, advised that he first met the applicant in 1955 or 1956 when both were active in the presidential campaign of ADLAI STEVENSON. They became friends and have maintained that friendship over the years. FAULK stated that he recalls the applicant was the Chief Counsel to the Senate Committee investigating illegal wiretaps during the 1960's, and he is generally considered to be a very capable lawyer and able individual. FAULK added that the applicant is extremely honest and conscientious in all that he does and is a dedicated American citizen even though he has been critical of some Government policies in the past which he has felt were in conflict with the Constitution and the Bill of Rights. FAULK stated that the applicant is a highly scrupulous individual who is quiet and dignified, and who mostly associates with respected professional people. FAULK added that the applicant is held in a great deal of affection

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to:

Report of:

SA [REDACTED]

Office: NEWARK, NEW JERSEY

Date:

JUNE 29, 1984

b6
b7C

Field Office File #:

77D-15967

Bureau File #:

Title:

BERNARD FENSTERWALD, JR.

Character:

CONTRACT PERSONNEL INVESTIGATION

Synopsis:

Reference FRED COOK gave BERNARD FENSTERWALD, JR., a favorable recommendation.

- RUC -

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 8/5/94 BY 5668 SLD/dmj

DETAILS

REFERENCE

On June 28, 1984, FRED COOK, 722 Fernmere, Interlaken, New Jersey, stated that he has known BERNARD FENSTERWALD, JR., since the mid 1960's. They met when FENSTERWALD was the Legal Counsel for the Congressional Committee for Assassinations.

FENSTERWALD is a very bright, dedicated and hard working attorney. He has tremendous energy and is of the highest character and integrity.

To COOK'S knowledge, FENSTERWALD has never used drugs of abuse or abused alcohol. He would highly recommend FENSTERWALD for a position of responsibility with the federal government.

1*

SA 77D-8760

and respect by all. FAULK stated that he does not believe the applicant drinks alcohol and has never used narcotics to his knowledge. FAULK highly recommends the applicant for a position of trust with the Government.

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE ST. LOUIS	OFFICE OF ORIGIN BUREAU	DATE 6/29/84	INVESTIGATIVE PERIOD 6/1 - 6/27/84
TITLE OF CASE BERNARD FENSTERWALD, JR.		REPORT MADE BY IA 	TYPED BY b6 bjb b7C
CHARACTER OF CASE CONTRACT PERSONNEL INVESTIGATION (D)			

REFERENCE: Buairtel to Alexandria, 5/24/84;
St. Louis teletype to Bureau, 5/23/84 and 5/31/84.

- RUC -

ADMINISTRATIVE:

All persons contacted were apprised of the provisions of the Privacy Act, and those requesting confidentiality have been so noted.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 8/5/94 BY 5668 SLD/dmj



ACCOMPLISHMENTS CLAIMED						<input type="checkbox"/> NONE	ACQUIT-TALS	CASE HAS BEEN:
CONVIC.	PRETRIAL DIVERSION	FUG.	FINES	SAVINGS	RECOVERIES			
								PENDING OVER ONE YEAR <input type="checkbox"/> YES <input type="checkbox"/> NO
								PENDING PROSECUTION OVER SIX MONTHS <input type="checkbox"/> YES <input type="checkbox"/> NO

APPROVED <i>664</i>	SPECIAL AGENT IN CHARGE	DO NOT WRITE IN SPACES BELOW	
COPIES MADE: <i>1-D</i> <i>2</i> - Bureau (AM) (ATTN: SPU, RM 5432) 1 - St. Louis (77D-M) <u>SL FILE WILL BE DESTROYED IN 120 DAYS.</u>		77-44206-50X13 NOTED 6 JUL 3 1984 <i>A/g SD</i>	

Dissemination Record of Attached Report					Notations
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By					

57 JUN 24 1985

A*
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~~CONFIDENTIAL~~

ARREST CHECKS

On June 6, 1984, a computerized check of the CENTRAL CRIMINAL RECORDS EXCHANGE (CCRE), VIRGINIA STATE POLICE (VSP), Richmond, Virginia, failed to reflect any information identifiable with the employee's [REDACTED].

b6
b7C

IA [REDACTED] caused a search to be made of the files of the FALLS CHURCH, VIRGINIA, POLICE DEPARTMENT, and was advised on June 5, 1984, that no record was located concerning the employee's [REDACTED].

b6
b7C

IA [REDACTED] caused a search to be made of the files of the ARLINGTON, VIRGINIA, POLICE DEPARTMENT, and was advised on June 1, 1984, that the following record was located concerning the employee. On January 20, 1952, the employee was cited for the traffic offense of speeding, 45/28 mph zone. On January 21, 1952, the case was disposed of when the employee pled guilty and was fined \$10 plus court costs. On May 8, 1969, the employee was cited for allowing his dog to run at large, and on July 8, 1970, the charge was dismissed. It is to be noted that at all times an indefinite number of unidentified records are out of file and an accurate search cannot be made.

b6
b7C

IA [REDACTED] caused a search to be made of the files of the ALEXANDRIA, VIRGINIA, POLICE DEPARTMENT, and was advised on June 1, 1984, that no record was located concerning the employee or [REDACTED].

b6
b7C

On June 1, 1984, a computerized check of the CENTRAL CRIMINAL RECORDS EXCHANGE (CCRE), VIRGINIA STATE POLICE (VSP), Richmond, Virginia, failed to reflect any information identifiable with the employee.

All individuals contacted have been apprised of the provisions of the Privacy Act and those requesting confidentiality have been so noted.

LEADS:

ALEXANDRIA

AT ALEXANDRIA, VIRGINIA

Will forward results of continuing neighborhood and reference investigations when completed.

~~CONFIDENTIAL~~

**UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION**

Copy to:

Report of: IA **Office:** ST. LOUIS
Date: June 29, 1984
Field Office File #: SL 77D-M **Bureau File #:**
Title: BERNARD FENSTERWALD, JR.

b6
b7C**Character:** CONTRACT PERSONNEL INVESTIGATION

Synopsis: FENSTERWALD served honorably in the NAVY and NAVAL RESERVE. Records, FRC-C, St. Louis, Missouri, disclosed FENSTERWALD employed 1/50 to 9/56 as attorney-adviser with STATE DEPARTMENT, Washington, District of Columbia, terminated by resignation. LWOP for "Educational purposes", rating of performance, and security clearance noted.

- RUC -

DETAILS: AT ST. LOUIS, MISSOURI:

ALL INFORMATION CONTAINED
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DATE 8/5/94 BY 5668 SLD/dmj

Military Service:

A review on June 27, 1984, of the records at the FEDERAL RECORDS CENTER, MILITARY BRANCH, indicated BERNARD FENSTERWALD, JR., serial and social security numbers: 142-274; 414-22-1934, was appointed an ensign in the NAVAL RESERVE on May 6, 1942. He entered on active duty on September 18, 1942, at Hanover, New Hampshire. He was honorably released from active duty on March 1, 1946, as a lieutenant, at Washington, D.C., and was transferred to the RESERVE.

He served in the RESERVE, inactive status, from May 6 to 17, 1942, and from March 2, 1946 to July 1, 1962, when he was honorably discharged by reason of retirement, as a lieutenant, highest rank attained.

He had foreign sea/service in the Asiatic-Pacific Area and the European-African-Middle Eastern Area. He was awarded the Philippine Liberation and World War II Victory Medals, and the American Campaign and Asiatic-Pacific Campaign Medals.

SL 77D-M

His character and efficiency ratings ranged from satisfactory to excellent and there was no record of court-martial or absence without official leave.

He was granted a Secret clearance on November 9, 1959, which was terminated at time of retirement.

His date and place of birth were shown as August 2, 1921, at Nashville, Tennessee.

Employment:

On June 4, 1984, a review by Lead Investigative Assistant (LIA) [redacted] of an Official Personnel Folder (OPF) on file at the FEDERAL RECORDS CENTER, CIVILIAN BRANCH (FRC-C), 111 Winnebago Street, disclosed BERNARD FENSTERWALD, JR. was employed on January 9, 1950 as an attorney-adviser with the DEPARTMENT OF STATE, OFFICE OF THE LEGAL ADVISER, OFFICE OF THE ASSISTANT LEGAL ADVISER FOR INTERNATIONAL ORGANIZATION AFFAIRS, at Washington, District of Columbia. On August 31, 1950 he was reassigned to the OFFICE OF THE ASSISTANT LEGAL ADVISER FOR POLITICAL AFFAIRS, and on January 6, 1952 he was reassigned to the OFFICE OF THE ASSISTANT LEGAL ADVISER FOR INTERNATIONAL ORGANIZATION AFFAIRS. He was designated "an Adviser on the United States Delegation to the Eight Session of the United Nations General Assembly, New York City, September 15, 1953" (further details not shown). He was in a leave without pay (LWOP) status from September 3, 1954 to January 5, 1956 for "Educational purposes - to study at the University of Cambridge". He was designated "an Ad Hoc Adviser on the United States Delegation to the Working Level Meeting on the Draft Statute of the International Atomic Energy Agency to convene at Washington, D.C., February 27, 1956" (further details not shown). This employment was terminated on September 5, 1956 by resignation "To accept non-government employment." b6 b7C

His performance was rated as "Excellent", and no unfavorable information was noted in the OPF. It was indicated he was granted a security clearance (level not shown) by the STATE DEPARTMENT during 1954, details not shown.

His date and place of birth were shown as August 2, 1921, at Nashville, Tennessee.

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE NEWARK	OFFICE OF ORIGIN BUREAU	DATE 6/29/84	INVESTIGATIVE PERIOD 6/28/84
TITLE OF CASE BERNARD FENSTERWALD, JR.		REPORT MADE BY SA [REDACTED]	TYPED BY das
		CHARACTER OF CASE C.P.I.	b6 b7C

REFERENCE: Bureau airtel to Alexandria, 5/24/84.

- RUC -

ALL INFORMATION CONTAINED
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DATE 8/5/94 BY 5668 SW/dmj

ADMINISTRATIVE:

FRED COOK was apprised of the provisions of the Right to Privacy Act of 1974.

Reference FRED COOK is the author of the book, The FBI That Nobody Knows, published in 1964.

Newark indices are negative for FENSTERWALD except for FOI requests. Indices are also negative for FRED COOK.

ACCOMPLISHMENTS CLAIMED					<input checked="" type="checkbox"/> NONE	ACQUIT- TALS	CASE HAS BEEN:
CONVIC.	PRETRIAL DIVERSION	FUG.	FINES	SAVINGS	RECOVERIES		
						0	PENDING OVER ONE YEAR <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO PENDING PROSECUTION OVER SIX MONTHS <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
APPROVED <i>James Caprasola Jr.</i> SPECIAL AGENT IN CHARGE						DO NOT WRITE IN SPACES BELOW	
COPIES MADE:						77-44206-50X14	
③-Bureau 1-Newark (77D-15967)							
Dissemination Record of Attached Report						Notations	
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By							

JUN 24 1985

FBI

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☐ Teletype
☐ Facsimile
☐ Airtel

PRECEDENCE:

☐ Immediate
☐ Priority
☐ Routine

CLASSIFICATION:

☐ ~~TOP SECRET~~
☐ ~~SECRET~~
☐ ~~CONFIDENTIAL~~
☐ UNCLAS E F T O
☐ UNCLAS

Date 7/6/84~~SECRET~~

TO: DIRECTOR, FBI
 ATTENTION: SECURITY PROGRAMS UNIT, ROOM 5432

FROM: SAC, SAN ANTONIO (77D-8760)(P)

BERNARD FENSTERWALD, JR.
 CONTRACT PERSONNEL INVESTIGATION
 OO: BUREAU
 BUDED: 7/9/84

All markings, notations, and items of information contained herein are classified ~~Secret~~ unless otherwise noted.

Re Houston airtel to San Antonio 6/1/84 and Bureau airtel to Alexandria 5/24/84. (U)

San Antonio indices contained numerous references regarding JOHN HENRY FAULK.

FAULK was subject of closed San Antonio file #100-3754 (Bufile #100-181329) where he was thought to be a member of the Communist Party, as well as numerous other 100 classification "see references" as listed or outlined below:

100-242-756 Bufile 100-3-40
 -964
 -1039
 -1522a item 4
 -1534 p. 3
 -1631

100-7149-266 p. 7 Bufile #100-345613

(2) - Bureau
 2 - San Antonio
 MWC:amr
 (4)

DECLASSIFIED BY 9668 SLD/any
 ON 8/22/94 - (per SLD)
 CA#94-0655 HAG

~~SECRET~~
 CLASSIFIED BY G-3
 DATE OF REVIEW FOR
 DECLASSIFICATION OADR

Approved: JAD

Transmitted

(Number)

(Time)

Per 5488

77-44206 50X15

~~SECRET~~

SA 77D-8760

~~SECRET~~

100-7260-1148 p. 7	Bufile #100-3-86
100-7319-116 p. 2	Bufile #105-3552C2
100-7490-40	Bufile #100-380741
100-7501-6 p. 3	Bufile #100-3-72
100-8743-1 p. 9	Bufile #100-181329
100-9925-1239 p. 2	Bufile #100-427226

In reference SA file 100-4164-9 an FD-302 dated 8/17/57, concerns the interview of ALFRED KAHN at University City, Missouri, by Special Agent ALLEN H. SMITH (SL file 100-16979) wherein KAHN stated that HALLIE WOOD had married JOHN HENRY FAULK, a merchant seaman and they were subsequently divorced. KAHN stated that FAULK had been an English teacher at the University of Texas and a disc jockey in New York. KAHN stated that he did not know if FAULK had been a member of the Young Communist League or not, but that it was his impression that FAULK had been a member of the Communist Party.

In a memorandum dated 8/19/59 (SA file 100-0-16085) a Dr. H.H. RANSON, Vice President and Provost, the University of Texas at Austin advised SA GEORGE W.H. CARLSON that during the thirties a number of students at UTAT, to include JOHN HENRY FAULK, were suspected of being communists, and he (RANSON) was certain they were.

RANSON also advised that he had received information from ALLAN LUDDEN, Columbia Broadcasting System, New York, that JOHN HENRY FAULK was a complete failure with CBS and associated with "the wrong people".

RANSON also stated that he had received a letter of application from JOHN HENRY FAULK but had turned it down.

In reference SA file 100-7260-1148, a memorandum dated 4/7/64, from SA B.E. DEFFENBAUGH, JR. a source furnished a list of gummed labels which included the name Mr. JOHN HENRY FAULK, 1812 Airole Way, Austin, Texas 78704.

This memorandum was entitled "CP, USA, Southern Region, San Antonio Division Organization; IS-C."

SA file [] captioned [] contains information regarding efforts of local groups affiliated with PLFP to secure FAULK as a speaker at meetings and demonstrations. (S) u r

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Exec AD-Adm.	
Exec AD-Inv.	
Asst. Dir.:	
Adm. Serv.	
Crim. Inv.	
Ident.	
Insp.	
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Lab.	
Legal Coun.	
Off. Cong. & Public Affs.	
Rec. Mgmt.	
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DE WF 0037 220 2245

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R 07 2154Z AUG 84

FM WASHINGTON FIELD (77D-111784) (C-2)

TO DIRECTOR, FBI (77-NEW) (ROUTINE)

FBI, ALEXANDRIA (ROUTINE)

BT

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DATE 8/5/94 BY 5668 SLD/dmj

BERNARD FENSTERWALD, JR., CONTRACT PERSONNEL INVESTIGATION;

00:BU BUDED: 6/8/84 D

RE DIRECTOR'S AIRTEL TO ALEXANDRIA, 5/24/84, APPLICANT
HAS INDICATED HE AND [REDACTED], HAVE
INCORPORATED THEMSELVES AS A LAW FIRM, FENSTERWALD AND
FENSTERWALD, 100 WILSON BOULEVARD, ARLINGTON, VA.

b6
b7C

LEAD. ALEXANDRIA. AT ALEXANDRIA, VA. VERIFY INCORPORATION OF
ABOVE MENTIONED LAW FIRM AND VERIFY SELF-EMPLOYMENT OF THE
APPLICANT.

77-44206-50X16

BT

0037-10

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NOT RECORDED

2 APR 20 1985

4-580

One Man's CIA File Trivia... a Mammoth Waste of Time

By Mary Ellen Perry
Washington Star Staff Writer

Bernard Fensterwald, Washington lawyer and political activist who is convinced Lee Harvey Oswald did not act alone in assassinating John F. Kennedy, sat looking at a pile of documents that constitutes Fensterwald's CIA security file No. 560 511.

He looked up, shaking his head. "The stuff in my file is mostly trivia," he said. "It looks like a mammoth waste of time and effort."

AFTER BEING sued by Fensterwald, the CIA has sent him some 62 documents, consisting — among other items — of correspondence between himself and the agency, a batch of memorandums with many of the other references in them deleted and some newspaper clippings which, inexplicably, don't mention his name.

Fensterwald is among those U.S. citizens suspecting they were among the 300,000 persons said by the Rockefeller Commission on CIA activities to be listed in agency files.

Many Washington residents, members of various political activist groups here that were spied on by the CIA, are believed to be among those listed in the agency's computerized files.

According to Robert S. Young, CIA Freedom of Information co-ordinator, the agency has been tardy in supplying information to some citizens because the requests have swamped the staff at CIA headquarters in Langley, Va. He said nearly 800 requests, which are supposed to be answered by the agency in 10 days, have not been met.

THE AGENCY, according to a lengthy legal statement filed in U.S. District Court in Alexandria, withheld six documents stored in Fensterwald's file classified "secret" because they mention matters of national security, information concerning CIA activities or personnel abroad or names of persons investigated by or cooperative with the agency.

"I'm more impressed by the size of my file than by the contents," Fensterwald said, glancing around his

elegant office in the Christian Science Monitor Building in the District. "If they spent this much time on mine, I wonder how much time they have spent on people they're really interested in."

The documents are in Fensterwald's hands because he sued the CIA in April under regulations of the Freedom of Information Act (FOIA) that require the intelligence agency to disclose on demand contents of his or any of the other hundreds of thousands of such files kept on the domestic activities of Americans.

FENSTERWALD knows that his long public career as counsel to Senate investigative committees, as counsel to convicted Watergate conspirator James W. McCord Jr. and, briefly, as counsel to James Earl Ray, convicted assassin of Dr. Martin Luther King Jr., make him a likely target for CIA interest. In addition, his formation of a private commission to investigate the Kennedy and King slayings and his frequent criticism of government agencies are bound to attract special attention, he acknowledges.

Most other people who may suspect they are the subject of CIA dossiers don't know their file numbers, however, or precisely why the agency would be concerned with them.

Fensterwald wanted not only the

opportunity to study his file, he also wants a federal judge to examine the "secret" documents to see if they should be released under the FOIA. The CIA, on the other hand, wants the judge to accept its ruling that the classified materials should remain so without the judge having to read them and make up his own mind.

A SEPTEMBER hearing has been set in Alexandria to consider the question.

Meanwhile, Fensterwald is poring over the items released to him so far by the intelligence agency. "Here's the complete transcript — about 50 pages — of a radio interview I did some years ago here in Washington on the assassinations," he mused, picking up a thick document.

"Here's a memo duly noting a meeting my law partner and I had with a CIA lawyer in Fairfax (headquarters of the agency)," he said. "The fact that my partner was with me is properly recorded along with his security file number."

Fensterwald had asked for the meeting, he recalled, to discuss his theory that the CIA had photographs of a "second Oswald," a man Fensterwald insists was trying to get from Mexico City to Russia by way of Cuba just weeks before John F. Kennedy was shot. "We know he wasn't our Oswald because he was in this country at that time," Fensterwald said.

Some of the memos are so heavily deleted that he can't make out the context, Fensterwald said. The names of other people mentioned in the papers are neatly blocked out, the CIA court memo says, because to reveal them would be to cause their privacy to be invaded.

"DURING THE course of an investigation," the CIA court statement says, "an agency will frequently compile data about individuals which, if revealed, would tend to compromise their privacy."

"For example," it explains, "Document No. 44 contains a reference to the fact that one individual was the subject of an investigation by the FBI because of alleged subversive activity and was reported to have been a member of the Communist party."

continued

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DATE 8/5/94 BY 5668 SLD/amy

77-44206-50X17

"Other documents," the memo says, "consist of computer printouts of the names of other individuals which were included in (Fensterwald's) file."

Fensterwald said he does not know who the individuals are whose names are deleted, except for one reference made by the CIA to persons who spoke at a Georgetown University conference on the Kennedy assassinations he sponsored in 1973.

The CIA apparently is concerned with protecting the privacy of many other individuals whose names wound up in Fensterwald's file, according to the agency's court memo.

"THE FACT that an individual has a security file within the CIA is easily misunderstood by the general public for it does not necessarily indicate in any way that such individual is considered to be a member of a subversive organization or otherwise a security risk to the interest of the United States," the memo explains.

Instead, the agency says, persons may be the subject of security files simply because they have been CIA employees or have had "contractual relationships" with the agency, "including access to classified data."

In addition, the memo says, some of the information on "third parties"

mentioned in Fensterwald's file "is, or might be considered, derogatory."

Other intelligence sources, the memo notes, "frequently occupy positions of prominence in their respective communities and their cooperation with the CIA is one of their most carefully guarded secrets. It would also be extremely embarrassing in many instances if such individuals' association with the CIA became known, and hence the revelation of such association would constitute a clearly unwarranted invasion of such individuals' privacy."

"IT SEEMS to me we're in pretty bad shape if a citizen who is cooperating with the CIA would be embarrassed by it," Fensterwald commented.

The CIA memo noted that some of the documents in Fensterwald's file were heavily edited or withheld entirely to protect foreign intelligence sources, locations of CIA stations and agents abroad, matters vital to national defense or foreign policy and interagency communications, all exempt from disclosure under the FOIA.

The memo was filed in Alexandria federal court in support of the CIA's motion to dismiss Fensterwald's suit, or alternatively, to request a summary judgment.

Memorandum



To : Mr. D. Jerry Rubino
Department Security Officer
Department of Justice (DOJ)
(Attention: [redacted])

From : Lloyd E. Dean
Security Programs Manager
Federal Bureau of Investigation (FBI)

Subject : REQUEST FOR EXPEDITE
BACKGROUND INVESTIGATION,
RE: BERNARD FENSTERWALD, JR. *1, 3, 5, 7, 9*

Date November 9, 1984

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b7C

INFORMATION MEMORANDUM

All portions of this document are unclassified unless otherwise noted.

Reference DOJ memorandum, dated May 18, 1984, captioned as above.

Enclosed for your review is a pending summary of BERNARD FENSTERWALD's full-field background investigation which is ~~classified~~. Divorce verification and education from 1954 and 1955 will be forwarded to you upon completion.

Enclosure

~~CONFIDENTIAL~~ MATERIAL ATTACHED

77-44206

1 - [redacted]
1 - [redacted]
(Attention: [redacted])

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DATE 8/5/94 BY 5668 SLD/dmj

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JSD:lal
(5)

*Photo negs 1/1/91
NIS
6/12/91*

mhf/LNF

*Information sent based upon a
telephone call to [redacted] who
advised NIS has an ongoing investigation
re classified documents found at Fensterwald
residence. [redacted] may be involved.*

*Obituary in Bufile
259-764 dated 4/3/91*

77-44206-51

NOT RECORDED
20 NOV 23 1984

b6
b7C

Exec. AD-Adm.	
Exec. AD-Inv.	
Exec. AD-LES	
Asst. Dir.:	
Adm. Servs.	
Crim. Inv.	
Ident.	
Inspection	
Intell.	
Laboratory	
Legal Coun.	
Off. of Cong. & Public Affs.	
Rec. Mgnt.	
Tech. Servs.	
Training	
Telephone Rm.	

68 JAN 24 1985

MAIL ROOM

FBI

MIT VIA:
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AIRTEL

PRECEDENCE:
☐ Immediate
☐ Priority
☐ Routine

CLASSIFICATION:
☐ TOP SECRET
☐ SECRET
☐ CONFIDENTIAL
☐ UNCLAS E F T O
☐ UNCLAS
 Date 8/13/84

TO: DIRECTOR, FBI
 ATTENTION: SECURITY PROGRAMS UNIT
 JEH 5432

b6
 b7C

FROM: SAC, ALEXANDRIA (77D-7102) (P)

BERNARD FENSTERWALD, JR.
 CONTRACT PERSONNEL INVESTIGATION
 BUDED: 6/8/84

Re Per request of FBIHQ 8/7/84.

Enclosed for the Bureau is one copy each of
 Alexandria files: 62-17; 62-0-219; 105-1031; 105-4485; and
 190-12, which relate to the captioned applicant.

LEAD:

ALEXANDRIA

Will report remaining investigation including
 verification of self-employment as set forth in WFO teletype
 8/7/84.

ALL INFORMATION CONTAINED
 HEREIN IS UNCLASSIFIED
 DATE 8/5/94 BY 5668 SLD/dmj

2- Bureau (Enc. 1)
 1- Alexandria
 FGS:smb
 (3)

Encls detached

77-44206-52

Approved: *[Signature]* Transmitted (Number) (Time) Per *A/SD*

2 JUL 1985

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE WASHINGTON FIELD	OFFICE OF ORIGIN BUREAU	DATE 8/13/84	INVESTIGATIVE PERIOD 5/29 - 8/7/84
TITLE OF CASE BERNARD FENSTERWALD, JR.		REPORT MADE BY SA 	TYPED BY gbm
		CHARACTER OF CASE CONTRACT PERSONNEL INVESTIGATION	

REFERENCES: WFOrept to BU, dated 6/21/84; WFOtel to Bu, 8/7/84; and WFO phone call with Bureau analyst on 8/10/84.

(RUC)

ADMINISTRATIVE: BUDED 6/8/84.

Where appropriate, Privacy Act (e) (3) data was furnished to persons interviewed. Express promises of confidentiality, both limited and unlimited, have been noted where granted.

WFO Indices reveal no derogatory information identifiable with his references or his social acquaintances.

As the Bureau is aware, WFO Indices contain numerous references to the applicant regarding FOIPA matters, to include a civil suit against DOJ.

ACCOMPLISHMENTS CLAIMED						<input type="checkbox"/> NONE	ACQUIT- TALS	CASE HAS BEEN: PENDING OVER ONE YEAR <input type="checkbox"/> YES <input type="checkbox"/> NO PENDING PROSECUTION OVER SIX MONTHS <input type="checkbox"/> NO
CONVIC.	PRETRIAL DIVERSION	FUG.	FINES	SAVINGS	RECOVERIES			

APPROVED *[Signature]* SPECIAL AGENT IN CHARGE

COPIES MADE:

2-Bureau (77-NEW)
1-WFO (77D-111784)

DO NOT WRITE IN SPACES BEI

77-44206-53

NOT RECORDED

APR 23 1985

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 8/5/94 BY 5668 SW/dmj

Dissemination Record of Attached Report					Notations <i>[Signature]</i>
Agency					
Request Recd.					
Date Fwd.					
How Fwd.					
By					A*

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to:

Report of: SA [REDACTED]
Date: AUGUST 13, 1984

Office: WASHINGTON FIELD

b6
b7C

Field Office File #: 77D-111784

Bureau File #: 77-NEW

Title:
BERNARD FENSTERWALD, JR.

Character: CONTRACT PERSONNEL INVESTIGATION

Synopsis:

Education at School of Advanced International Studies, John Hopkins University verified. No credit information available from that institution re the applicant. Employment with U.S. Senate Committee on the Judiciary verified through a current counsel of that Committee who commented favorably. Employment as an assistant clerk in the office of Senator Thomas Hennings, Jr. verified through records. Employment with Department of State from 1950 to 1956 could not be verified due to records destruction and inability to locate supervisors or co-workers. Reference, [REDACTED] contacted and commented favorably. Security check at Department of State negative due to destruction of records. No record found in the Department of Consumer and Regulatory Affairs, Corporation Division regarding the law firm Fensterwald and Fensterwald.

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b7C

(RUC)

DETAILS: AT WASHINGTON, D.C.ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 8/5/94 BY 5668 SLD/dmj

WFO 77D-111784

EG:ams

INTERVIEW OF APPLICANT

The applicant, BERNARD FENSTERWALD, JR., provided the following information to Special Agent [REDACTED] FEDERAL BUREAU OF INVESTIGATION, Washington Field Office:

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FENSTERWALD advised that, when he was employed with the U.S. DEPARTMENT OF STATE from 1950, to 1956, he was employed in the Office of Legal Advisor. The Legal Advisor at the time was ADRIAN FISHER. FISHER was replaced in 1953, by HERMAN PHLAGER. LEONARD MEEKER was the Assistant Legal Advisor throughout this time period.

FENSTERWALD was questioned regarding his current self employment as an Attorney in Washington, D.C. FENSTERWALD advised that until January, 1984, he was the sole proprietor of the law firm. In January, 1984, he formed a corporation with [REDACTED] which is now known as FENSTERWALD AND FENSTERWALD. Under the corporation, FENSTERWALD and [REDACTED] technically work for the law firm. The law firm is located at 1000 Wilson Boulevard, Washington, D.C. The law firm handles varied legal matters.

b6
b7C

FENSTERWALD advised that he is also involved in the building in operation of storage warehouses. FENSTERWALD is a General Partner in a effort known as UU-STORE COMPANY. The other General Partner in this company is [REDACTED]

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b7C

WFO 77D-111784
BPT:ams

EDUCATION

SCHOOL OF ADVANCED INTERNATIONAL STUDIES
JOHN HOPKINS UNIVERSITY
1740 Massachusetts Avenue, N.W.
Washington, D.C.

On August 2, 1984, BETTY BEAUCHAMP, Registrar, SCHOOL OF ADVANCED INTERNATIONAL STUDIES, JOHN HOPKINS UNIVERSITY, provided the following information regarding the applicant, BERNARD FENSTERWALD JR., to Special Agent (SA) [REDACTED], FEDERAL BUREAU OF INVESTIGATION (FBI), Washington Field Office: b6 b7C

The records of the above institution reflect that the applicant attended that institution from 1946, through 1949, and took ten courses of study achieving an approximate grade point average of 3.4. The applicant passed his Masters Oral Exam on August 18, 1949, and was awarded his Master of Arts in International Affairs on June 3, 1950.

Ms. BEAUCHAMP advised that the SCHOOL OF ADVANCED INTERNATIONAL STUDIES did not provide financial aid during the time the applicant attended that institution, and that no records existed which would pertain to any financial aid provided to the applicant.

WFO 77-111784
DMS:ld

THE U.S. DEPARTMENT OF STATE
23rd and "C" Street N.W.,
Washington, D.C.

On June 4, 1984, SA [] conducted
the following investigation regarding BERNARD FENSTERWALD JR.

b6
b7C

[], Personnel Assistant, advised
that he could not locate any record of employment for the
applicant. He advised that records going back to 1956
would not be kept. He advised that he could not identify
any supervisors or co-workers. It should be noted that no
supervisors were listed on the applicant's SF-86.

b6
b7C

The applicant was recontacted on June 7, 1984,
and provided the names of his supervisors at the U.S. DEPARTMENT
OF STATE.

On June 12, 1984, [] was recontacted
and advised that he had no record for ADRIAN FISHER, HERMAN
PHLAGER or LEONARD MEEHAR, the applicant's supervisors in the
Legal Advisors Office. In view of the above and lapse of
time since the employment, no further investigation is being
conducted at STATE.

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b7C

WFO 77D-111784
RCB:cgh

UNITED STATES SENATE EMPLOYMENT/RECORDS

On June 7, 1984, [REDACTED], UNITED STATES SENATE
DISPERSEMENT OFFICE, provided the following information
from the records of that office to SA [REDACTED];

b6
b7C

BERNARD FENSTERWALD JR., accepted an appointment
as an assistant clerk in the office of United States Senator
THOMAS HENNINGS JR., Missouri, on January 16, 1957. On
April 19, 1957, his title was changed to Administrative
Assistant to Senator HENNINGS.

On February 1, 1959, he transferred to a position
as Chief Council for the UNITED STATES COMMITTEE ON THE
JUDICIARY. On April 1, 1961, his title was changed to
Staff Director and Chief Council for the committee. On
April 1, 1963, it was again changed to Chief Council. On
January 16, 1969, he terminated from that position.

It should be noted that Senator THOMAS HENNINGS, JR.,
is no longer in office, and his staff is dispersed.

WFO 77D-111784
RCB:cqh

EMPLOYMENT UNITED STATES SENATE
COMMITTEE OF THE JUDICIARY

On June 18, 1984, [redacted]
to the UNITED STATES SENATE COMMITTEE ON THE JUDICIARY
provided the following information to Special Agent [redacted]
[redacted]:

b6
b7C

[redacted] has known BERNARD FENSTERWALD JR.,
since approximately 1957. From 1959 through 1969 he served
with MR. FENSTERWALD on the UNITED STATES SENATE COMMITTEE
ON THE JUDICIARY [redacted] at that time was [redacted]

[redacted] and MR. FENSTERWALD
was the Chief Council and Staff Director for the majority.

b6
b7C

[redacted] stated that MR. FENSTERWALD was a fine person
and an excellent family man, a brilliant lawyer and a out-
standing Staff Director. He stated that during his thirty
years with the UNITED STATES SENATE very few individuals
that he has known have approached MR. FENSTERWALD in the
areas of honesty, integrity, and effectiveness.

[redacted] advised that he has had no contact
with MR. FENSTERWALD since he left the committee in 1969,
however up through that time he had never had any reason
to question his loyalty to the United States Government
and never known him to abuse alcohol or use drugs of abuse.
He highly recommended him for a position of trust.

b6
b7C

[redacted] stated that he could think of no
present employees with the UNITED STATES SENATE who would
have worked with MR. FENSTERWALD as most of them have either
retired or left for private employment elsewhere.

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b7C

WFO 77D-111784
BPT:ams

REFERENCE

On August 2, 1984, [REDACTED]
[REDACTED], was contacted regarding the
applicant, BERNARD FENSTERWALD, JR., by Special Agent (SA) [REDACTED]
[REDACTED] FEDERAL BUREAU OF INVESTIGATION (FBI), Washington Field
Office, and provided the following information:

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b7C

[REDACTED] has been FENSTERWALD's Dentist for the last
thirty years, and has seen the applicant regularly, approximately
every six months for dental care, additionally [REDACTED] has
socialized with FENSTERWALD and his family. [REDACTED] and the
applicant have a mutual interest in one particular breed of dog,
and have frequent contact in order to discuss upcoming dog shows
and other related matters.

b6
b7C

[REDACTED] described the applicant as an extremely
intelligent individual, who is an extrovert and a very pleasant
person to be with. [REDACTED] was aware that the applicant had
written a book pertaining to the applicant's own experience in
regards to Watergate. [REDACTED] described the book as well
written, but not outstanding. [REDACTED] is aware that the applicant
is now practicing law, but has no direct knowledge as to FENSTERWALD's
actual law practice.

b6
b7C

[REDACTED] described the applicant as an extremely
straightforward individual, who is thoroughly loyal to the United
States, and he has no hesitation in recommending FENSTERWALD
for access to classified or sensitive information, recommending
FENSTERWALD for a position of trust and confidence.

b6
b7C

Nothing of an adverse nature was known by [REDACTED]
concerning the applicant, to include his character, reputation,
integrity, patriotism, use of drugs or alcohol. Specifically,
[REDACTED] stated that FENSTERWALD is a diabetic and refrains
from the consumption of any alcohol.

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b7C

WFO 77D-111784
EG:ld

SECURITY CHECK

Office of Security
DEPARTMENT OF STATE
Washington, D.C.

On June 11, 1984, [REDACTED], Release of
Information Branch, Office of Security, DEPARTMENT OF STATE
advised that the security file of BERNARD FENSTERWALD JR.,
born August 2, 1921, has been destroyed under the routing
destruction of the old files.

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b7C

WFO 77D-111784

PA:gbm

1

Department of Consumer and Regulatory Affairs
Corporation Division
Washington, D.C.

On August 1, 1984, IA [] checked the records
at the above captioned agency regarding the firm, FENSTERWALD AND
FENSTERWALD, and no record was located.

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b7C

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PRIORITY

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 8/5/94 BY 5066

DATE 8/5/94 BY 5068 SLD/dmg

BT

UNCLAS E F T O

BERNARD FENSTERWALD, JR.; NONCONTRACT PERSONNEL INVESTIGATION;
00: BUREAU; BUDED: PAST

RELONDON TELETYPE DATED JUNE 14, 1984, CAPTIONED AS ABOVE.

THE DEPARTMENT OF JUSTICE HAS AUTHORIZED A FULL-FIELD BACKGROUND INVESTIGATION TO COMMENCE ON CAPTIONED INDIVIDUAL, DPOB: AUGUST 2, 1921, NASHVILLE, TENNESSEE, SSAN: 414-22-1934. FENSTERWALD IS A SELF EMPLOYED HISTORICAL RESEARCHER, WHO WILL HAVE ACCESS TO CLASSIFIED NATIONAL SECURITY INFORMATION.

CONDUCT INVESTIGATION IN ACCORDANCE WITH INSTRUCTIONS
CONTAINED IN PART I, SECTION 77, AND PART II, SECTION 17, MANUAL
OF INVESTIGATIVE OPERATIONS AND GUIDELINES. 77-44206-5

LONDON: VERIFY EDUCATION AT CAMBRIDGE LAW SCHOOL
CAMBRIDGE UNIVERSITY, CAMBRIDGE, LONDON, FROM 1954 APR 21 1955

LED/k SD SC {E}

9/17/84

5432

3605

111

RETURN TO
ROOM 5436 ~~CHOW~~ 243

ATTN:

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DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D.C. 20535

PAGE 2

INVESTIGATION REPORT

WITH NO DEGREE AWARDED.

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NO DEGREE AWARDED

FBI

TRANSMIT VIA:

☐ Teletype
☐ Facsimile
☒ Airtel

PRECEDENCE:

☐ Immediate
☐ Priority
☐ Routine

CLASSIFICATION:

☐ ~~TOP SECRET~~
☐ ~~SECRET~~
☐ ~~CONFIDENTIAL~~
☐ UNCLAS E F T O
☐ UNCLAS

Date 9/18/84

TO: DIRECTOR, FBI

FROM: SAC, ALEXANDRIA (77D-7102) (RUC)

BERNARD FENSTERWALD, JR.;
CONTRACT PERSONNEL INVESTIGATION

~~ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE~~

Re Alexandria airtel to the Bureau dated 8/10/84.

All individuals contacted were apprised of the provisions of the Privacy Act, and those requesting confidentiality have been so noted.

Alexandria search through ~~confidential~~ indices revealed numerous references to the employee and [redacted]. Alexandria indices search produced numerous freedom of information acts requests which the employee had initiated. The employee was also identified as a member of the "COMMITTEE TO INVESTIGATE ASSASSINATIONS, INCORPORATED." [redacted]

Alexandria noted that the employee was a former member of the Judiciary Committee of the United States Senate and had also been self-employed as an attorney in the District of Columbia. Alexandria search revealed no other information on any other pertinent individuals.

REFERENCES

[redacted] was interviewed at his office on September 6, 1984, and he stated

1-Bureau
1-Alexandria
HEB:lwc
(3)

8/3/94
Classified by 5668 SLD/dmj
Declassify on: OADR
CA#94-0655 HHG

b6
b7C
b7E

b6
b7C

Approved: JSO/g

Transmitted

(Number)

(Time)

Per 4/gsp

~~CONFIDENTIAL~~

that he first met the employee thirty-six or thirty-eight years ago. [] stated that he has known the employee both as a friend and as a patient over the years. [] stated that he is a medical doctor and that he has been employee's family doctor for the last thirty-six or thirty-eight years. [] stated that he has always respected the employee and that he considers the employee to be a very loyal and a very good individual. [] stated that in all the years that he has known the employee, he has never had any reason to distrust the employee or to think poorly of him. [] stated that he would "trust him one hundred percent." [] stated that the employee is an attorney but that he is financially very well off and that he has effectively retired from his law practice and that his son has basically inherited the law practice. [] stated further that the employee has an avid interest in political assassinations, especially the assassination of President KENNEDY and that, because of his financial background and his independent nature, the employee is able to devote a great deal of his time being independently employed in the pursuit of writing and studying political assassinations. [] stated that the employee is a very good man and that he is also very reliable and responsible. [] stated that the employee has a good reputation both professionally and with his social friends. [] stated that he considers the employee to be a very loyal American and that he considers him to be very patriotic. [] stated that he is very confident that the employee would be able to adequately handle the trust and confidences which he would encounter in his endeavors and for whatever reason he is seeking his security clearance. [] stated that he assumed that the employee is seeking a security clearance because that would enable him to further conduct his investigations and scholarly research into the field of political assassinations. [] stated that for a number of years, the employee has been very interested in studying the assassination of President KENNEDY and trying to develop another theory behind who the assassin was. [] stated that he did not know anything of a derogatory nature concerning either the employee, his associates or any organizations to which the employee might belong. [] also stated that he knew that the employee did not use illegal drugs and he also stated that the employee does not abuse alcohol. [] advised that the employee is a diabetic and that he has to severely restrict his intake of alcohol. [] stated that he would recommend the employee for any necessary security clearances because he feels the employee is a very trustworthy and patriotic individual and that, in no way, would he constitute any threat to national

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b7C~~CONFIDENTIAL~~

~~CONFIDENTIAL~~

security. [] also stated that the employee could be safely entrusted with any confidential matter which he would be able to examine in the course of his research.

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MISCELLANEOUS

Divorce Verification

On August 9, 1984, IA [] caused a search to be made of the files of the Arlington County Circuit Court, Alexandria, Virginia.

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The files contained chancery file number 15635 which revealed that on May 26, 1965, the complainant ELIZABETH FENSTERWALD, 2016 North Adams Street, Arlington, Virginia, filed a bill of complainant against the defendant, BERNARD FENSTERWALD, JR., 883 North Kentucky Street, Arlington, Virginia, for a divorce on the grounds of having lived separate and apart without any cohabitation and without interruption since February, 1963.

The parties were lawfully married on June 4, 1947, in Alexandria, Virginia. There was one child born of said marriage, to wit: [] who is in the custody of the defendant.

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On August 19, 1965, the complainant was granted a final decree of divorce from the defendant on the grounds stated above. The defendant was granted custody of the child with reasonable visitation rights reserved for the complainant. The defendant was also ordered to pay \$500 per month for alimony onto the complainant as well as the sum of \$250 to MRS. ALLANSON (mother-in-law), Alexandria, Virginia, in lieu of additional payments to complainant for the support of MRS. ALLANSON.

The file contained no additional pertinent information.

~~CONFIDENTIAL~~
3*

VZCZCL ON234 2991238

P 250809Z OCT 84

FM LEGAL ATTACHE LONDON (77D-939) (RUC)

TO DIRECTOR FBI (77-NEW) PRIORITY

BT

UNCLAS/E F T O

BERNARD FENSTERWALD, JR.; NCPI. 00: BUREAU

BY LETTER RECEIVED OCTOBER 24, 1984 DR. R.D. LETHBRIDGE,
FITZWILLIAM COLLEGE, UNIVERSITY OF CAMBRIDGE, CAMBRIDGE, ENGLAND,
ADVISED THAT ACCORDING TO COLLEGE RECORDS APPLICANT WAS ENROLLED
FOR THE 1954-55 ACADEMIC YEAR, AND THAT APPLICANT SUBSEQUENTLY
WITHDREW FROM THE COURSE OF STUDY FOR HIS M.LITT. DEGREE. FITZ-
WILLIAM COLLEGE COULD PROVIDE NO FURTHER INFORMATION WITH REGARD
TO APPLICANT'S ATTENDANCE.

General Applicant's Spin Room 5153
TL 233

ADMINISTRATIVE:

REBUTEL TO LONDON SEPTEMBER 13, 1984.

ABOVE MATTER WAS HANDLED BY THE SECURITY OFFICE, AMERICAN
EMBASSY, LONDON. INFORMATION WAS ONLY PROVIDED AFTER NUMEROUS
INQUIRIES BY THAT OFFICE.

BT

NOT RECORDED

APR 26 1985

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED

DATE 7/11/94 BY 5608 SLD/dnj
CA # 94-065 #16

NNNN

Memorandum



To : Mr. D. Jerry Rubino
Department Security Officer
Department of Justice (DOJ)
(Attention: [REDACTED])

Date December 14, 1984

From : [REDACTED]
Acting Security Programs Manager
Federal Bureau of Investigation (FBI)

Subject : SECURITY CLEARANCE FOR
CONTRACT PERSONNEL
RE: BERNARD FENSTERWALD, JR.

INFORMATION MEMORANDUM

Reference FBI memorandum, dated November 9, 1984, captioned as above.

Records on file at the ARLINGTON COUNTY CIRCUIT COURT, Alexandria, Virginia, revealed that ELIZABETH FENSTERWALD, filed for divorce from BERNARD FENSTERWALD, JR., on May 26, 1965. On August 19, 1965, ELIZABETH FENSTERWALD was granted a final divorce from BERNARD FENSTERWALD, JR., on the grounds of living apart, without cohabitation or interruption, since February, 1963.

This completes the background investigation of BERNARD FENSTERWALD, JR.

RETURNED PER DOJ AUTHORITY
DELEGATED TO SPM. TO BE
RETAINED BY FBI.

b6
b7C

Memorandum



To : Mr. D. Jerry Rubino
Department Security Officer
Department of Justice (DOJ)
(Attn: [redacted])

Date 3/15/88

b6
b7C

From : Gary L. Stoops, Security Programs Manager (SPM)
Federal Bureau of Investigation (FBI)

Subject : BERNARD FENSTERWALD, JR.
SECURITY CLEARANCE INVESTIGATIONS PROGRAM
SPECIAL PROGRAMS
FREEDOM OF INFORMATION REQUEST FOR HISTORICAL ACCESS

ACTION MEMORANDUM

Reference FBI memoranda to DOJ dated 11/9/84 and 12/14/84, and telephone conversation between [redacted] of your staff and [redacted] Freedom of Information and Privacy Act Section, Records Management Division (RMD), FBIHQ, 12/17/87.

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In accordance with Department Order 2620.6, entitled "Procedures for Requesting a Department of Justice Security Clearance for Non-Contractor Personnel Outside the Executive Branch" a "Top Secret" security clearance is being requested for the below listed individual:

BERNARD FENSTERWALD
DPOB: August 2, 1921
Nashville, Tennessee
SSAN: 414-22-1934
BUSINESS ADDRESS:
Fensterwald Associates
Arlington, Virginia

On May 16, 1985, BERNARD FENSTERWALD, JR., as an "historical researcher," made a specific request to the FBI to examine certain file(s) from the FBI's list of JFK assassination files, which involves National Security Information (NSI).

RETURNED PER DOJ AUTHORITY
DELEGATED TO SPM. TO BE
RETAINED BY FBI.

Grant
3-17-88

Memorandum from Gary L. Stoops to Mr. D. Jerry Rubino
Re: Bernard Fensterwald, Jr.

BERNARD FENSTERWALD, JR. was the subject of a favorable applicant type background investigation by the FBI in 1984 entitled, "Request for Expedite Background Investigation Regarding Bernard Fensterwald, Jr."

Based on recent telephonic conversation with DOJ, D. Jerry Rubino Department Security Officer, requested that the FBI update FENSTERWALD's 1984 investigation by conducting a name and fingerprint check on him and submit the results and the request for a "Top Secret" security clearance to DOJ, Security Officer, in writing.

The central files of the FBI disclosed that besides FENSTERWALD's 1984 investigation, he was the subject of two other favorable applicant-type investigations by the FBI, one in 1949 entitled, "Bernard Fensterwald, Jr., Departmental Applicant-Anti-Trust Division," and one in 1959 entitled, "Bernard Fensterwald Jr., Special Inquiry - Senate Judiciary Committee."

No other pertinent information was contained in our files.

A review of records, Identification Division, FBI Headquarters was negative regarding BERNARD FENSTERWALD, JR.

DOJ Security Office is requested to furnish the appropriate Security Briefing Package to the SPM, FBI regarding BERNARD FENSTERWALD, JR.

RETURNED PER DOJ AUTHORITY
DELEGATED TO SPM. TO BE
RETAINED BY FBI.

Memorandum



To : Mr. D. Jerry Rubino
Department Security Officer
Department of Justice (DOJ)
(Attn:)
Date July 8, 1988

b6
b7C

From : Gary L. Stoops, Security Programs Manager
by [signature] /m
Federal Bureau of Investigation (FBI)

Subject : BERNARD FENSTERWALD, JR.
SECURITY CLEARANCE INVESTIGATIONS PROGRAM
SPECIAL PROGRAMS
FREEDOM OF INFORMATION REQUEST FOR HISTORICAL ACCESS

INFORMATION MEMORANDUM

Reference DOJ memorandum, dated March 17, 1988,
captioned "Request for a Top Secret Clearance."

Enclosed are the signed DOJ Acknowledgment form and
National Security Information Briefing Acknowledgment form for
Fensterwald.

This completes Bernard Fensterwald, Jr.'s, background
investigation.

When Fensterwald no longer requires access to national
security information, you will be advised.

Enclosures (2)

RETURNED PER DOJ AUTHORITY
DELEGATED TO SPM. TO BE
RETAINED BY FBI.



U.S. Department of Justice

MAR 17 1988

Washington, D.C. 20530

Dear Bernard Fensterwald, Jr.:

Subject: Access to DOJ Classified
National Security Information

In accordance with 28 CFR Part 17, this office has granted you a Top Secret clearance for access to classified National Security Information and material classified up to and including Top Secret by the Department of Justice (DOJ). This clearance is limited to those documents for which you have a need-to-know.

This clearance is limited to information or material classified by or in the custody of the DOJ and information or material related to the performance of your duties only and is contingent upon your becoming familiar with and your agreement to comply with and adhere to the provisions of the enclosed regulation, when handling classified information.

Accordingly, you are requested to review the enclosed regulation and to sign the certification as set forth below.

Sincerely,

D. Jerry Rubino
Department Security Officer

Enclosure

To: Department Security Officer
Room 6525, Main Justice Building

This is to certify that I will read and will become familiar with the subject regulation. I shall comply with the requirements thereof.

Name: B. Fensterwald Jr. Date: 6/15/88

Note:

Please return this original signed document in its entirety.

RETURNED FOR DOJ AUTHORITY
DELEGATED TO SPIC TO BE
RETAINED BY FBI



Washington, D.C. 20530

NATIONAL SECURITY INFORMATION (NSI) BRIEFING ACKNOWLEDGMENT

I, the undersigned, have received a briefing explaining my obligation to fully protect classified ^{NSI} ~~SCI~~ and sanctions that may result from unauthorized disclosures.

^{NSI} ~~SCI~~ ACCESS: Top Secret

DATE BRIEFED: 6/15/88

PRINTED NAME: Bernard Fensterwald, Jr.

SIGNATURE: B Fensterwald Jr

SOCIAL SECURITY NO: 414-22-1934

ORGANIZATION: Assassination Archives & Research Center

WITNESS:

ORGANIZATION: FBI

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b7C

APPROVED FOR ALL AUTHORITY
DELEGATED TO SPM. TO BE
RETAINED BY FBI.